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No. 91

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. SHAW).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 27, 2001.

I hereby appoint the Honorable E. CLAY SHAW, Jr. to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

Bishop Michael Tyrone Cushman, General Overseer, National Association of the Church of God, West Middlesex, Pennsylvania, offered the following prayer:

Dear Kind and Gracious Heavenly Father, it is with praise and adoration we bow before You on this wonderful day. It is with awe and honor we worship Your holy presence and invite You to dwell in the midst of these men and women who were made by Your hands and fashioned for this very moment.

We acknowledge that all wisdom comes from You. We confess this morning that You are our eternal Father and You are the very essence of love itself, and that we are created in Your loving just and merciful image, and that Your ultimate will is that we love each other unconditionally as we are loved by You.

Please, Kind Sir, bless us this day with the spirit of reconciliation. Endow us with a fresh anointing of grace and tolerance. Empower us to deliberate through the dilemmas and conflicts of purpose and opinion. Equip us to accept what we cannot change. Embolden us to change the unacceptable and enlighten us with uncanny wisdom to

strike the compromises that glorify You and dignify every human being.

Now, My Father, bless this House, O Lord we pray. Keep it safe by night and day. In the strong name of Jesus we trust and pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. McNULTY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. McNULTY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. BRADY) come forward and lead the House in the Pledge of Allegiance.

Mr. BRADY of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOME TO GUEST CHAPLAIN, PASTOR MICHAEL TYRONE CUSHMAN, SR.

(Mr. SCHIFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHIFF. Mr. Speaker, I would like to join you in welcoming today's distinguished guest chaplain, Pastor Michael Tyrone Cushman, Sr., and thank him for leading the House in prayer. As first General Overseer of the National Association of the Church of God, Pastor Cushman is responsible for more than 400 churches in the United States, Caribbean, and Africa.

For 22 years, Reverend Cushman served at the Pasadena Church of God in Pasadena, California, one of the most thriving churches in our region. Pastor Cushman distinguished himself as a force for racial reconciliation and more harmonious human relations in southern California. In his new position, his mission is to unify the black and white branches of the Church of God.

I am proud to say, that although Dr. Cushman will travel the world in his new position, he and his wife, Jacqueline, will maintain a home in Altadena, California, which I am proud to represent. Although we will sorely miss his influence in our community on a daily basis, I am happy to note that he will maintain an advisory role at the Pasadena Church of God.

I am proud to welcome Chaplain Cushman here today as our guest chaplain.

AMERICA'S ENERGY POLICY

(Mr. FOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOLEY. Mr. Speaker, while California experiences blackouts, and respirating equipment that is needed

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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for those critically ill goes silent, Gray Davis is hyperventilating and pointing fingers at Washington.

Let us review the Democratic energy policy over the last 8 years under the past administration. Let me see: Hazel O'Leary, Secretary of Energy, goes to the Taj Mahal and spends \$1 million of taxpayer money to beautify it before she arrives.

Let me see: Bill Richardson, while on his watch, loses our Nation's energy secrets, and we become vulnerable to outside influences.

During the last campaign, when energy prices were skyrocketing, the Clinton White House's brilliant idea was to reduce and use the oil from the strategic reserves.

Sound bite politics from their side, sensitive politics from ours. We are working on the energy needs of America. We are seeking a plan that will revolutionize the way we are dependent on oil. We are looking at a conservation model. We are looking at new technology. We are coming up with answers, not rhetoric.

I admonish the Democrats to start participating and stop finger-pointing. And Gray Davis could lead the parade by stop spending \$30,000 of taxpayer money a month for political consultants and start working with energy consultants to save his State.

SIGN DISCHARGE PETITION ON COST-BASED ENERGY PRICING

(Mr. INSLEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, last week, in California, three former employees of generators of electricity testified that they turned off their equipment at the demands of their bosses that resulted in driving up electrical prices on the west coast. This House should do something about that.

What I urge my colleagues to do is to come to the well of the House and sign a discharge petition for a bill that will create cost-based pricing for 2 years as a short-circuit to stop the meltdown of the energy market on the west coast. I do that on behalf of the small business people who are losing their businesses today, last week, next week, because of the thousand percent increases in wholesale electrical rates on the west coast, which are unprecedented, wrong, unconscionable, and should be illegal.

The Federal Energy Regulatory Commission, finally, because we dragged them kicking and screaming for the last 4 months, finally did something a few days ago, but it is clear it is not enough. We need to keep their feet to the fire. I urge my colleagues to sign the discharge petition in the well of the House today.

TAX REBATES

(Mr. SAM JOHNSON of Texas asked and was given permission to address

the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, I remember energy going up that Texas provided for California because the Environmental Protection Agency charges them fines to run their plants. Ridiculous.

But today, Mr. Speaker, I rise in support of hardworking American taxpayers who will receive a \$600 check in the mail this summer courtesy of George W. Bush. That is right. Americans do not want, do not need, and do not deserve higher taxes. That is why President Bush fought hard to make sure to give them back some of their money.

If an individual paid taxes last year, they will receive a \$300 check, if they are single; \$500 if they are a single parent; or a \$600 check if they are a married couple filing together. All this because President Bush knows that Americans can spend their own money better than we can here.

What can a person buy with \$600? Well, this is the buy-a-new-washer, a new-dryer, or buy-a-new-fridge bill. What about that? The beauty of this summer refund is that George W. Bush knows that Americans can spend their money better than the Federal Government. So let us give it back to them.

SEND MARGARET HARGROVE OF FLORIDA TO THE IRS

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, the pit bull is the most ferocious dog in the world, but nobody told that to Margaret Hargrove of Florida. When a pit bull clamped his massive jaws around her small Scot terrier's neck, Margaret ferociously bit the pit bull back.

Now, if that is not enough to sanitize your fire hydrant, folks, the pit bull then turned on Margaret and attacked her. Margaret then attacked the pit bull so ferociously that she drove him away.

Beam me up. Do not take this woman to a drive-in movie. Do not forget to feed her terrier. My colleagues, never bite Margaret Hargrove of Florida.

I yield back the need to hire Margaret Hargrove at the Internal Revenue Service to straighten those people out.

CONGRATULATIONS TO MARTHA DE NORFOLK OF FLORIDA

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I congratulate Martha De Norfolk, a single mother from my congressional district who is working to found the Arthrogryposis Foundation to help her disabled son Bryant Amastha, and other local children who suffer from this rare disease.

One in every 3,000 babies is born with this disease, which limits motions in their joints, usually accompanied by muscle weakness. In the classic case, hands, wrists, elbows, shoulders, hips, feet and knees are affected. In some cases, even the central nervous system. Most people with arthrogryposis are of normal intelligence and are able to lead productive lives as adults. However, if not treated through surgery and physical therapy, this disease can become terminal, as the body deforms so that internal organs cannot function properly.

Nine-year-old Bryant recently completed his 36th operation, enabling him to use an electric wheelchair to move about in home and in school. With the help of the foundation that Bryant's mother, Martha De Norfolk, is working to establish, parents of these children will soon have the financial assistance and the support groups on which to depend; and local doctors will have access to education on this debilitating illness and its treatment.

We congratulate Martha and Bryant and many others.

ENERGY

(Mr. BALDACCI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALDACCI. Mr. Speaker, with the continuation of rolling blackouts and skyrocketing energy costs, we need to address our country's energy problems now. In the short term, we need a solution that provides much-needed price relief for consumers to outrageously high energy costs, particularly now that we are in the summer.

The Bush administration's energy plan does virtually nothing to address these issues. The leadership in this Congress has wiped out the raising of the fuel efficiency standards and continues to do nothing in the area of research in renewables and other long-term benefits in improving energy efficiency. The administration has tried to address this in the previous years but was unable to do it with the leadership of this Congress.

We need a plan that does not relax environmental standards, does not propose drilling in sensitive environmental areas of this country, such as the Arctic National Wildlife Reserve and off the coast of Florida's shores. That plan only benefits large oil companies at the risk of all Americans. Our approach to our country's energy problems is a balanced plan that addresses both supply and demand. The plan proposed by Democratic leadership increases refining capacity and helps America use energy more efficiently.

□ 1015

AMERICA IS A NATION IN NEED OF ENERGY SOLUTIONS

(Mrs. JO ANN DAVIS of Virginia asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, it is a widely known fact that America is a Nation in need of energy solutions. We have all heard the statistics. Over the next 20 years, U.S. oil consumption is expected to increase by over 30 percent, natural gas consumption by more than 50 percent, and electricity usage will grow by an estimated 45 percent.

Yet these facts are not new. This problem did not drop out of the sky one day. These statistics have been known for years, yet the Clinton administration failed to plan for the future. Now America faces a great energy challenge that can only be met through increased production and conservation.

California's policy of strict conservation without production has not worked. Despite growing energy consumption, not one major power plant was added in the 1990s. Unfortunately, the people of California are suffering because of it.

Mr. Speaker, President Bush has put forth plans emphasizing conservation while meeting production needs. We cannot look away like past administrations have, hoping that the problem will just go away, because it will not.

CALIFORNIA AND THE WEST COAST ELECTRICITY MARKET HAS BEEN ILLEGALLY MANIPULATED

(Mr. FILNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FILNER. Mr. Speaker, evidence continues to mount that California and the west coast electricity market has been illegally manipulated, and consumers are entitled to billions of dollars for illegal overcharges since last summer.

We just heard about the need for production. Let me tell my colleagues what is happening to plants in California. Last week in sworn testimony to the State senate, three employees of the Duke energy plant in my district in Chula Vista, California, testified that they took the plant out of production for economic reasons. That is to boost the price of electricity at times, including the worst emergencies that were declared in California. At stage 3 alerts, the generators were taken down. They were told to throw away spare parts, so it would take longer to correct any problems that did appear. The manipulation of the market is clear. The illegal manipulation of the market is clear.

Mr. Speaker, all my colleagues should sign the discharge petition at the well this morning to make sure

that we get a vote on restoring equanimity to the electrical markets of California, and consumers get refunds for illegal prices.

PRICE CAPS ARE A BAD IDEA

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, even though they violate every principle of free market economics, every principle of common sense, even though they would not produce one drop of oil or one watt of electricity, some Members keep calling for price caps.

Many of us have been trying to explain to the government-has-all-of-the-answers crowd why price caps are a bad idea. But, Mr. Speaker, some Members would rather score political points by claiming to have an easy answer, even though they will really be harming the consumers they pretend to be defending.

The Department of Energy released a study that showed that price controls would cause the California blackouts to get worse. There is no easy fix to this energy crunch, and we should not trust anyone who tells us there is. Only through boosting production and greater conservation will we have more supply and lower prices. There is no other way.

PATIENTS' BILL OF RIGHTS WILL NOT GENERATE LAWSUITS

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, it is interesting to hear this controversy being expressed as we cannot do this and we cannot do that. Although I am here to talk about the Patients' Bill of Rights, I believe that the industry recognizes that something must be done to help Americans with the energy crisis, and I believe cooler heads would welcome the opportunity to put a moratorium on pricing.

But, Mr. Speaker, I want to talk about the misrepresentation of the Patients' Bill of Rights by its opponents, and I want to say there is no evidence that the insured will sue employers recklessly. There is no evidence that there will be frivolous lawsuits by those who are insured. I know because I come from the State of Texas that has had a Patients' Bill of Rights for almost 5 years.

There is evidence that the Patients' Bill of Rights, the Ganske-Dingell bill, will provide every American the right to choose their own doctors and restore the patient and physician relationship, that it will cover all Americans with employer-based health care insurance, that it features all external reviews of medical decisions conducted by independent and qualified physicians and not HMO bureaucrats, that it will hold

HMOs accountable. That is the evidence. We need to pass a real Patients' Bill of Rights.

RULE OF LAW PROHIBITS HARVESTING OF STEM CELLS FROM HUMAN EMBRYOS

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, I rise today as a strong advocate of the rule of law and the right to life. That is why I urge the administration to faithfully execute the 1996 law adopted by this Congress prohibiting the use of taxpayer dollars to finance the harvesting of stem cells from human embryos. Just because the last administration tried to trample this law through regulations is no excuse for this administration to fail in its oath to faithfully execute the laws adopted in this Congress. The clear language of the 1996 law, the high principle of the sanctity of human life and the enormous promise of adult stem cell research all argue that this President and this administration should choose life.

PUT MEDICAL DECISIONS BACK IN THE HANDS OF DOCTORS AND PATIENTS

(Ms. MCCOLLUM asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCCOLLUM. Mr. Speaker, let us put medical decisions back in the hands of doctors and patients and ahead of special interests and their slick TV commercials. Let us pass a strong Patients' Bill of Rights.

In my home State of Minnesota, I worked very hard, and in Minnesota, like many other States, we have strong patient protection laws. Those who are covered under Minnesota law have access to specialists when they need them. Every American deserves that right. No one should have to jump through hoops or swim a sea of red tape to get the doctor they need when they need to see one. A patient's doctor knows when they need to see a specialist, and Americans should not have to wait for approval by some profit-driven bureaucrats.

Mr. Speaker, I urge my colleagues to support the bipartisan Ganske-Dingell bill. It is time for sound, responsible managed care reforms and meaningful patient protection.

THE RIGHT APPROACH TO ENERGY

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, today Californians are experiencing rolling blackouts, rising energy costs and out-of-control gasoline prices. I fear that

this will happen in the other States if we are not careful. The solution to our current energy crisis is simple, choice and competition, not more regulation and price controls like the discharge petition that the Democrats are talking about.

Governor Davis, with the support of environmentalists and government control advocates, raised barriers and actively sought to prohibit the construction of new power plants. Now the Democrats in Washington want to make the Gray Davis approach to energy the national approach to our energy here in Washington.

Mr. Speaker, it is clear what the results will be if they achieve their goal. What is happening in California will happen in the rest of the country. Blackouts will roll from California all of the way to the eastern seaboard. From family to farmer, all Americans will be affected. We do not want this to happen.

We need to have choice and competition. Let there not be a reoccurrence. Let us take the right approach to energy, and work to increase production, reduce regulation and encourage conservation.

IT IS TIME TO PASS A REAL PATIENTS' BILL OF RIGHTS

(Mr. DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, emergency room nurses are in town, and I commend and congratulate them for the outstanding work they do. This is also a great time to pass a real Patients' Bill of Rights, one like the Ganske-Dingell bill that ensures that medical decisions come before business decisions, one that ensures that doctors and patients and nurses have the opportunity to decide what kind of treatment there ought to be. It ensures that external review of individuals who do not have a self-interest are the ones making the decisions and recommendations.

Mr. Speaker, it is not like the bill that was introduced yesterday, that allows HMOs to do their own reviewing, to have their own internal reviews to determine whether or not what they are doing is good and right. That is like having the fox guard the chicken house.

Mr. Speaker, if we want to be real, we will pass the Ganske-Dingell bill for real patients' rights.

AMERICA HAS RESPONSIBILITY TO MEET MORE OF OUR OWN ENERGY NEEDS

(Mr. BRADY of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRADY of Texas. Mr. Speaker, even though President Bush inherited the energy problem, I appreciate that

he is shooting straight with the American people about what it will take to have reliable, affordable and environmentally clean energy for our country.

America, we do have the responsibility to meet more of our own energy needs. Common sense tells us we will need a balanced game plan based on conservation, on new technology and new supply. There are no shortcuts, no Band-Aids, no steps that we can skip.

The discharge petition Members see today is more Hollywood theatrics, more Band-Aids, and we simply cannot afford it. If we work together, Republican and Democrat, CEO and environmentalist, we are capable, and we can achieve energy independence.

Mr. Speaker, this issue is more than economics, it is one of national security. As long as America relies on OPEC and foreign countries for more than half of our daily energy needs, we are vulnerable. And there is no need why the most prosperous Nation in the world cannot take responsibility for our own energy needs. It is time for America to take responsibility for America's energy.

THE PHARMACEUTICAL INDUSTRY IS AT IT AGAIN

(Mr. SANDERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SANDERS. Mr. Speaker, the pharmaceutical industry is at it again. This industry which has spent \$200 million in the last 3 years to defeat all efforts to lower the cost of prescription drugs, this industry which has 300 paid lobbyists here on Capitol Hill, continues to charge the American people by far the highest prices in the world for the same exact prescription drugs.

Mr. Speaker, American women should not have to go over the Canadian border to buy tamoxifen, a breast cancer drug, for one-tenth the price that it is charged in the United States. Seniors should not have to go to Mexico or Europe to pick up the same drugs for a fraction of the price.

Mr. Speaker, in a globalized economy, prescription drug distributors and pharmacists should be able to purchase and sell FDA safety-approved medicine at the same prices as in other countries. The passage of reimportation will lower the cost of medicine in this country by 30 to 50 percent. Let us pass the Sanders-Crowley-DeLauro amendment in the agriculture appropriations bill, which will allow Americans to get fair prices for their prescription drugs.

AMERICA NEEDS TO BE NET EXPORTER OF POWER, NOT NET IMPORTER

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, to my colleagues out West, I want to remind

them the best way to get to a most efficient market is allow the market to work. If this country wants low-cost, reliable electricity, we must have a diverse energy portfolio. We must have coal, nuclear, hydro, renewables, and expand our base load generating capacity. If we want low-cost fuel, we need to drill for it and transport it and refine it. States need to be net exporters, not net importers of power generation. Our country needs to be a net exporter of power, not a net importer of power.

Mr. Speaker, I applaud the State of Illinois and Governor Ryan for passing and signing the Empower Illinois Act, which will incentivize clean coal technology and generation in southern Illinois, and I applaud my colleague, the gentleman from Virginia (Mr. BOUCHER) and the gentleman from Kentucky (Mr. WHITFIELD), and support the Need Act which will do the same thing with a national energy policy, that we will push through the Committee on Energy and Commerce on the floor of the House later on this fall.

CONGRESS NEEDS TO TAKE A STAND AGAINST PRICE GOUGING

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEFAZIO. Mr. Speaker, from the other side of the aisle we hear platitudes about choice, which consumers do not want, and competition, which does not exist. For months, the mounting evidence of manipulation in the energy markets has been piling up and piling up while the Bush administration, and their hand-picked appointees to the Federal Energy Regulatory Commission, have taken a hands-off attitude. After all, it is some of their most generous campaign contributors, many of whom are based in Texas, who are making obscene amounts of money by manipulating the energy markets.

Mr. Speaker, we would not want to offend them just to help consumers. A month ago it turned out Reliant Energy of Texas had tied its energy traders to the plant operators and had them shut down the plant to drive up the price.

Duke Energy employees have stated that they were told to sabotage the plant and throw away the repair parts to drive up the price of energy on the west coast.

The reaction on that side of the aisle is, oh, let us not make this a partisan issue. Oh, let us be nice.

Mr. Speaker, consumers are being fleeced. It is time for real action. Sign the discharge petition, and this Congress will take a stand for consumers against the price gouging.

SOLVING ENERGY PROBLEMS

(Mr. HAYWORTH asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. HAYWORTH. Mr. Speaker, if we could harness some of the wind power this morning, we could solve our energy problem. If we could take the blame game and convert it to Btus, we would have energy to last for a long time.

Mr. Speaker, we ought to bring in a lot of different people and put them under oath in front of the Committee on Resources, in front of our various oversight committees, and get the answer. I do not countenance any misconduct by anyone, but I will tell you what is interesting: when the Governor of California had a chance to put emergency generators online, he said, Oh, no. If those folks are not going to be union employees, I do not want to see those generators.

When the Governor of California had a chance to work out these problems, he took \$1 million from the same utility companies my friend from Oregon rails against. When the Governor of California had a chance to step forward and solve this problem, he went on Jay Leno. What is next, a Letterman appearance with stupid gubernatorial tricks?

We have got real problems. Let us solve the problem. We can all yell and scream.

TIME TO SIGN ENERGY DISCHARGE PETITION

(Mr. McDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McDERMOTT. Mr. Speaker, the last speaker certainly makes a good case for wind power.

There is an opportunity today for Members to sign the discharge petition to return this country to cost-based power, not power determined by gougers in the energy industry. We have seen on the west coast 400 percent profit for Texas companies selling energy. Now, 400 percent profit is a little bit over the top. Most of us who believe in the free enterprise system think that maybe 10 or 20 percent is not too bad. But they want unlimited ability.

Mr. Speaker, the oil dynasty of Cheney and Bush and Evans have selected the people to run the Federal Energy Regulatory Commission. Whenever you hear anybody say FERC, they are talking about people appointed by the Bush people to control and allow the industry to actually not control the energy industry.

Now, you would say it is a west coast problem, that it is always Democrats. New York is doing it now, and they are fearful of what it is going to be without cost-based power. It is time to sign the discharge petition.

CONTROLLING THE ENERGY CRISIS

(Mr. GIBBONS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, no one doubts and no one questions that we need a balanced, comprehensive responsible energy policy in this Nation. By importing nearly 60 percent of our domestic oil from foreign countries, we are leaving our Nation's security vulnerable to the whims of these importing countries.

We must increase the supply of domestic energy and promote conservation as a form of safe and reliable power, while at the same time promoting a clean and healthy environment.

Along with conservation efforts, technological advancements will allow us to meet our energy needs for decades, even centuries to come. New technologies, like gasoline-electric hybrid cars, clean coal, hydrogen fuel, second-generation geothermal, and other such innovations will allow us to avoid problems like those in California, while ensuring a clean environment as our legacy for our children.

Mr. Speaker, California's fast-paced society is not capable of supporting itself through energy shortages and rolling blackouts. Neither is the rest of the country. However, since Governor Gray Davis has been showing more interest in his political consultants rather than his constituents, the crisis in his homeland has begun spreading like a catastrophe and has put the Nation on the brink of engulfing other States. It is time to take action now.

SUPPORT THE BIPARTISAN PATIENTS' BILL OF RIGHTS

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, let us get down to basics. Some health plans systematically obstruct, delay and deny care. Some health plans provide excuses instead of coverage. The bipartisan Patients' Bill of Rights has enough teeth in it to deter health plans from cheating their enrollees and enough definition in it to protect health plans and employers from frivolous lawsuits.

Yesterday, my Republican colleagues, the gentleman from Kentucky (Mr. FLETCHER), the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from California (Mr. THOMAS), introduced legislation endorsed by President Bush and written by the largest insurance companies in the country. It does not give enrollees the right to sue. The language is drafted so that the right to sue cannot actually be exercised.

The Republican bill is a sham. I ask President Bush to work with us to put insurance interests aside, to put campaign contributions from insurance interests aside, to work with us in the bipartisan Patients' Bill of Rights. That is the bill that protects patients. That

is the bill that restores the patient-physician relationship.

SUPPORT PRESIDENT'S SOUND ENERGY PLAN

(Mr. RYUN of Kansas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYUN of Kansas. Mr. Speaker, President Bush has outlined what I think is a sound energy policy that is both forward thinking and sensible, but opponents of his plan sound like a broken record, accusing the President of being anti-environment.

The assertion that we must choose between sound energy policy and healthy environment is simply not true. As an example, we need to look no further than the clean air standards set up in the early nineties. Regulations for fuel resulted in refineries using additives that produced clean air, but polluted the groundwater. That is, until the development of ethanol.

Ethanol is a biofuel that is produced from corn and grain sorghum. It protects our quality of air by reducing tailpipe emissions and greenhouse emissions. And as an added bonus, ethanol can provide help for our economy, especially our American farmers, and not for OPEC. I, for one, would rather depend upon the good graces of a Kansas farmer than foreign oil producers.

Mr. Speaker, I urge my colleagues to support the President's sound energy policy.

REDUCING SUPPLY TO INCREASE PRICES

(Mr. TIERNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIERNEY. Mr. Speaker, people this morning have been talking about the energy situation, and I think it is important to talk calmly for a moment about some of the things that have been happening.

I happen to be a member of the Subcommittee on Energy of the Committee on Government Reform, and we have had hearings with the American Petroleum Institute and others from the industry testifying before us. Also, Senator WYDEN in the Senate has taken testimony on this matter.

It is important for the American people to know that there is strong evidence that the industry acted to make sure that they reduced supply so that they could raise costs. Senator WYDEN had thick documents, which I have just put on record in our committee hearing, showing over the last decade of the nineties there was too much refinery backlog for the companies, so they acted, or at least indicated they were going to act, to make sure that those refineries shrunk. Over 50 of them have closed.

Therefore, we did not have the kind of supply that we needed; and of

course, that drove up demand and drove up price. Now that that is up there, the companies will tell you the reason we do not have enough fuel at reasonable prices is because we do not have enough refineries.

Now they are looking for the triple play. Instead of producing more and getting that in the pipeline and having more refineries, they now want to do away with environmental regulations. This is not something we should allow to happen. We should keep our eye on that industry and make sure we get something done for the consumer.

CALIFORNIA ENERGY CRISIS

(Mr. HERGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HERGER. Mr. Speaker, we have an energy crisis. Eight years of Clinton-Gore no-growth energy and Federal environmental policies have left us facing frequent shortages.

In my home State of California, the population has grown by 4 million people over 10 years. The economy has doubled in half that time. Sadly, the radical environmentalists have prevented the construction of new power plants.

The equation is simple: more people and no power plants equal blackouts. Rather than place blame, President Bush has proposed a responsible solution that seeks to address our dire situation, increase supply while offering incentives to reduce demand.

While California is already the most energy efficient State in the country, the President's comprehensive policy will promote new power plant construction. It is not necessarily political, but it recognizes that there are no quick fixes to the years of policies that forced us deep into the dark.

SUPPORT BIPARTISAN PATIENT PROTECTION ACT

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, Americans need a Patients' Bill of Rights. Every single day we hear stories of patients whose health has been seriously jeopardized because their health plan has denied coverage. Each day 35,000 patients experience a delay in needed care and 7,000 patients per day are denied referral to a medical specialist.

Doctors are unable to make the best medical decisions for their patients because their hands are tied by the insurance companies. What we need to do is to return those medical decisions back to doctors and patients and out of the hands of insurance companies. We need a Patients' Bill of Rights that grants access to specialists, allows patients to choose their own doctors, lifts physician gags that prohibit doctors from talking about medical options, allows

for access to emergency rooms, and, yes, holds HMOs accountable for negligent actions.

These patient protections are long overdue. The Republican leadership has watered down meaningful bipartisan legislation to protect another special interest, the managed care organizations. They want to give HMOs special protection from lawsuits, while weakening patients' ability to hold health plans accountable.

Vote for Dingell-Norwood. Support the bipartisan Patient Protection Act. In the long run, it will help the American people.

BECOMING ENERGY SELF-RELIANT

(Mr. REHBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. REHBERG. Mr. Speaker, let us put all the political posturing and gamesmanship aside and be honest: the major causes of high energy prices this summer will be the lack of domestic energy production and the absence of new investments in the electricity generation facilities needed to meet the growth experienced over the last decade.

That is why becoming more energy self-reliant is so important. If we want an uninterrupted supply of energy, then we need more American oil, American gas, and clean coal. In Montana alone, we have several hundred years' worth of natural gas and coal deposits. Current estimates place coal resources for eastern Montana at about 50 billion tons, two-thirds of which is low-sulfur, clean-burning coal.

In developing these resources, it is important that we keep in mind that America has some of the highest environmental standards and most advanced technology in the world. Our strict laws do a good job of ensuring our environment is protected.

The bottom line is this: relying upon our own energy resources is cleaner and safer than importing energy from countries with inferior technology and scant environmental oversight.

SUPPORT A REAL PATIENTS' BILL OF RIGHTS

(Ms. CARSON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CARSON of Indiana. Mr. Speaker, as many of you know, when I was elected to the United States Congress, prior to being sworn in, I had to walk into a hospital in Indianapolis, Indiana, and announce that I believed I was on the verge of a heart attack. Because I was an elected Member of Congress, I did not have to get permission from anybody to get the best medical services that Indianapolis, Indiana, had to offer. That is why I stand before you today on behalf of all of the people who seek the services from HMOs who do

not happen to be a Member of the United States Congress.

The President of the United States claims credit for the HMO reform bill that passed in Texas when he was Governor. You would think that a person who claims credit for an issue would work hard to put it into practice at his new job.

It is not right for the HMOs to take money from people they are supposed to serve and then deny them the service when those same people need help.

We need to pass the Patients' Bill of Rights bill that would hold health plans accountable when they harm a patient, protect patients from paying out of pocket for emergency room services, provide an independent appeal process, and guarantee that treatment decisions are based on medical, and not financial, concerns. Those were included in the Texas law.

The President needs to stop trying to negotiate away from his own law, and support the same bill he said he supported in Texas, the Dingell-Ganske-Norwood Patients' Bill of Rights.

A BALANCED APPROACH TO ENERGY

(Mrs. WILSON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WILSON. Mr. Speaker, it costs \$1.60 cents a gallon when I filled up my tank on the corner of Alameda and 4th Street this weekend. Anybody in this country that pays a utility bill or put gas in the tank within the last month knows we have an energy crunch in this country. It is worse in the West, but it affects everybody.

I think everybody, most everybody, knows that Band-aids are not answers, and there are not any quick fixes that are going to solve the problems of energy in this country. We need a balanced, long-term approach, no Band-aids, no quick fixes, to give us stability in our energy markets.

I think it is too important to do anything but the right thing. That is going to require all of us to work together to do the right thing. We need to start with conservation. We made tremendous progress in this country with conservation in the last 20 years; and we are not going back, and nobody wants to. But we also have to increase the supplies of energy in this country, responsibly explore for energy in nonpark land, and give ourselves a mix of supply. It is only the balanced approach that will give us the energy that we need.

BAN DRILLING FOR OIL AND GAS UNDER GREAT LAKES

(Mr. STUPAK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUPAK. Mr. Speaker, I rise today to remind my colleagues that

today as we do the energy and water bill there will be an amendment by the gentleman from Michigan (Mr. BONIOR), the gentlewoman from Ohio (Ms. KAPTUR), the gentleman from Ohio (Mr. LATOURETTE), and myself to ban the practice of drilling for gas and oil underneath the Great Lakes.

Now, there is a proposal that Michigan is currently moving forward which would allow directional drilling under the Great Lakes.

□ 1045

Why Michigan would do this to the 18 percent of the world's freshest waters found in the Great Lakes; 90, 95 percent of all of the fresh water in the United States is found at the Great Lakes, and it serves the homes of over 34 million people. Why we would threaten the vitality of the Great Lakes for a few drops of gas and oil, even during these energy needs, is unconscionable.

If we take a look, the reserves are there. Even if we tap with 30 new wells, they propose 30 new wells, we would have enough oil for only 3 weeks, and we would have enough natural gas for 5 weeks. Only Michigan seeks to do this. The Governor of Ohio recently said, no oil and gas drilling. The Wisconsin State Senate has passed resolutions in the past saying no oil and gas drilling underneath our Great Lakes.

So I am asking my colleagues today as we do the energy and water bill to please take a look at what we are doing. We have to conserve, we have to be resourceful, but let us not drill for oil and gas in the Great Lakes. Join this bipartisan amendment.

IT IS TIME FOR ENERGY SOLUTIONS

(Mr. BALLENGER asked and was given permission to address the House for 1 minute.)

Mr. BALLENGER. Mr. Speaker, it is very unfortunate that Californians have to go through these blackouts, and it is unfair to the people in California. But what is really unfair is that Californians have a Governor who refuses to take leadership and responsibility for this problem.

California politicians have done a disservice to the Californians. Gray Davis has been asleep at the switch. It is time to stop pointing fingers and start solving problems. Instead of spending \$30,000 a month on political consultants and polls, and instead of pointing fingers, Gray Davis needs to find solutions to increasing electricity in his State to stop blackouts. Governor Davis should put people before politics.

Mr. Speaker, blackouts in California leave the State's economy dead. When California dies, America's economy becomes seriously ill. What we need is answers and solutions, not partisan, attack-style politics. We all need to work together, both Democrats and Republicans, to solve California's problems. Creating a balanced, fair and com-

prehensive energy plan for the future that utilizes our coal and our natural gas will safeguard our national economy and secure an adequate livelihood for all Americans.

AS GOES CALIFORNIA GOES THE COUNTRY

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, with two oilmen in the White House, it is no surprise that this administration has turned its back on consumers and sided with big oil special interests, but that certainly does not make it acceptable.

What is acceptable is this: recognizing that we need to increase renewable energy sources while reducing demand for electricity. We can do this by promoting and using more efficient energy technologies. These are the policies that will protect our environment, will guarantee a better future for our children.

Since passing the National Energy Policy Act in 1992, Congress has generally ignored energy issues, but power problems in California and higher prices for natural gas and oil are going to impact our entire country. These changes have brought energy back to the top of our Nation's agenda.

The energy shortage we are experiencing in California is a signal to the rest of our Nation. As goes California goes the country.

COMPREHENSIVE ENERGY POLICY

(Mrs. BIGGERT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BIGGERT. Mr. Speaker, when politicians talk about needing a comprehensive energy policy instead of price controls, I bet a lot of Americans wonder what we are talking about.

Well, consider this fact: ninety-seven percent of the power plants currently under construction are natural gas-fired power plants needed to meet the increased demand for electricity. Natural gas that is typically produced during the summer for storage and later used during the winter is, instead, being used for electricity generation. Basically, we use natural gas to keep our electricity rates lower in the summer, but in the end we pay higher rates on our natural gas use in the summer. Not a very comprehensive policy, is it?

President Bush has proposed the first comprehensive energy plan in a decade that will increase efficiency, improve how our energy is delivered, diversify our energy sources, protect the environment, and assist low-income Americans through these current price increases.

Americans want affordable energy and a clean, safe environment.

WORKING TO SOLVE CALIFORNIA'S ENERGY CRISIS

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Mr. Speaker, I would just like to let our colleagues know that today in the State of California, one of our newest generators just went online. Governor Gray Davis has done a tremendous job in trying to make sure that the energy and our lights do not go out in the State of California. He visited with us last week and met with the Senate Committee on Energy Oversight and talked about all the earnest effort that he has made, and Californians, to conserve energy.

Now, we deserve more attention and support by FERC and this administration. We should provide more energy funding for renewable energy, for conservation, and obviously provide relief for those ratepayers, the people that pay the bills. We expect to see a refund. Maybe it will not be the \$9 billion that Gray Davis is asking for, but surely the people of California and the Western States that are suffering from this energy crisis deserve the very best attention. They are grappling with this problem. They need to have our support.

Mr. Speaker, I ask all Members today to sign the discharge petition, because it is necessary for us to send a message to all citizens of the United States that we are with them on the energy conservation measures.

THE JOURNAL

The SPEAKER pro tempore (Mr. SHAW). Pursuant to clause 8 of rule XX, the pending business is the question of the Speaker's approval of the Journal.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. McNULTY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 368, nays 49, answered "present" 1, not voting 15, as follows:

[Roll No. 195]

YEAS—368

Abercrombie	Barr	Bishop
Ackerman	Barrett	Blagojevich
Akin	Bartlett	Blumenauer
Allen	Barton	Blunt
Andrews	Bass	Boehlert
Armey	Becerra	Boehner
Baca	Bentsen	Bonilla
Bachus	Bereuter	Bono
Baker	Berkley	Boswell
Baldacci	Berman	Boucher
Baldwin	Berry	Boyd
Ballenger	Biggert	Brady (TX)
Barcia	Bilirakis	Brown (FL)

Brown (OH) Hastings (WA) Morella
Brown (SC) Hayes Murtha
Bryant Hayworth Myrick
Burr Herger Nadler
Buyer Hill Napolitano
Callahan Hinchey Neal
Calvert Hinojosa Nethercutt
Camp Hobson Ney
Cannon Hoeffel Northup
Cantor Hoekstra Norwood
Capito Holden Nussle
Capps Holt Obey
Cardin Honda Oliver
Carson (IN) Horn Ortiz
Castle Hostettler Osborne
Chabot Houghton Ose
Chambliss Hoyer Otter
Clay Hunter Owens
Clement Hyde Oxley
Coble Inslee Pascarell
Collins Isakson Pastor
Combest Israel Paul
Condit Issa Payne
Conyers Istook Pelosi
Cooksey Jackson (IL) Pence
Cox Jackson-Lee Peterson (PA)
Coyne (TX) Petri
Cramer Jefferson Phelps
Crenshaw Jenkins Pickering
Crowley John Pitts
Cubin Johnson (CT) Pombo
Culberson Johnson (IL) Pomeroy
Cummings Johnson, E. B. Portman
Cunningham Johnson, Sam Price (NC)
Davis (CA) Jones (NC) Pryce (OH)
Davis (FL) Jones (OH) Radanovich
Davis (IL) Kanjorski Regula
Davis, Jo Ann Kaptur Rehberg
Davis, Tom Keller Reyes
Deal Kelly Reynolds
DeGette Kennedy (RI) Riley
Delahunt Kerns Rivers
DeLauro Kildee Rodriguez
DeLay Kilpatrick Roemer
DeMint Kind (WI) Rogers (KY)
Deutsch King (NY) Rogers (MI)
Diaz-Balart Kingston Rohrabacher
Dicks Kirk Ros-Lehtinen
Dingell Kleczka Ross
Doggett Knollenberg Rothman
Dooley Kolbe Roukema
Doolittle LaFalce Roybal-Allard
Doyle LaHood Royce
Dreier Lampson Rush
Duncan Langevin Ryan (WI)
Dunn Lantos Ryan (KS)
Edwards Largent Sanchez
Ehlers Larson (CT) Sanders
Ehrlich LaTourette Sandlin
Engel Leach Sawyer
Eshoo Lee Saxton
Etheridge Levin Schakowsky
Evans Lewis (CA) Schiff
Everett Lewis (KY) Schrock
Farr Linder Scott
Ferguson Lipinski Sensenbrenner
Flake Lofgren Serrano
Fletcher Lowey Sessions
Foley Lucas (KY) Shadegg
Forbes Lucas (OK) Shaw
Fossella Luther Shays
Frank Maloney (CT) Sherman
Frelinghuysen Maloney (NY) Sherwood
Frost Manzullo Shimkus
Gallegly Markey Shows
Ganske Mascara Shuster
Gekas Matheson Simmons
Gibbons Matsui Simpson
Gilchrest McCarthy (MO) Skeen
Gillmor McCarthy (NY) Skelton
Gilman McCollum Smith (MI)
Gonzalez McCrery Smith (NJ)
Goode McDermott Smith (TX)
Goodlatte McGovern Smith (WA)
Gordon McHugh Snyder
Goss McInnis Solis
Graham McIntyre Souder
Granger McKeon Spence
Graves McKinney Spratt
Green (TX) Meehan Stark
Green (WI) Meek (FL) Stearns
Greenwood Meeks (NY) Stenholm
Grucci Mica Strickland
Gutierrez Miller (FL) Stump
Hall (OH) Miller, Gary Sununu
Hall (TX) Mink Tanner
Hansen Mollohan Tauscher
Harman Moran (KS) Tauzin
Hart Moran (VA) Taylor (NC)

Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Townes
Traficant
Turner
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)

Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (FL)

NAYS—49

Aderholt Hefley Peterson (MN)
Baird Hilleary Ramstad
Bonior Hilliard Sabo
Borski Hooley Schaffer
Brady (PA) Hulshof Stupak
Capuano Kennedy (MN) Sweeney
Carson (OK) Kucinich Taylor (MS)
Clyburn Larsen (WA) Thompson (CA)
Costello Latham Thompson (MS)
Crane Lewis (GA) Udall (CO)
DeFazio LoBiondo Udall (NM)
English McNulty Visclosky
Filner Menendez Waters
Ford Miller, George Weller
Gephardt Moore Wu
Gutknecht Oberstar
Hastings (FL) Pallone

ANSWERED "PRESENT"—1

Tancredo

NOT VOTING—15

Burton Millender Rangel
Clayton McDonald Scarborough
Emerson Platts Slaughter
Fattah Putnam Whitfield
Hutchinson Quinn Young (AK)
Rahall

□ 1113

So the Journal was approved.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mr. SHAW). Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any recorded vote on postponed questions will be taken later today.

HONORING JOHN J. DOWNING,
BRIAN FAHEY, AND HARRY
FORD, WHO LOST THEIR LIVES
IN DUTIES AS FIREFIGHTERS

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 172) honoring John J. Downing, Brian Fahey, and Harry Ford, who lost their lives in the course of duty as firefighters.

The Clerk read as follows:

H. RES. 172

Whereas on June 17, 2001, 350 firefighters and numerous police officers responded to a 911 call that sent them to Long Island General Supply Company in Queens, New York;

Whereas a fire and an explosion in a two-story building had turned the 128-year-old, family-owned store into a heap of broken bricks, twisted metal, and shattered glass;

Whereas all those who responded to the scene served without reservation and with their personal safety on the line;

Whereas two civilians and dozens of firefighters were injured by the blaze, including

firefighters Joseph Vosilla and Brendan Manning who were severely injured;

Whereas John J. Downing of Ladder Company 163, an 11-year veteran of the department and resident of Port Jefferson Station, and a husband and father of two, lost his life in the fire;

Whereas Brian Fahey of Rescue Company 4, a 14-year veteran of the department and resident of East Rockaway, and a husband and father of three, lost his life in the fire; and

Whereas Harry Ford of Rescue Company 4, a 27-year veteran of the department from Long Beach, and a husband and father of three, lost his life in the fire: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors John J. Downing, Brian Fahey, and Harry Ford, who lost their lives in the course of duty as firefighters, and recognizes them for their bravery and sacrifice;

(2) extends its deepest sympathies to the families of these three brave heroes; and

(3) pledges its support and to continue to work on behalf of all of the Nation's firefighters who risk their lives every day to ensure the safety of all Americans.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 172.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Resolution 172, and I commend its sponsor, the distinguished gentleman from New York (Mr. GRUCCI) for introducing it.

This resolution honors three fighters, John J. Downing, Brian Fahey, and Harry Ford, who lost their lives fighting a fire in Queens, New York, earlier this month.

The resolution also expresses the deepest sympathies of this House for their families. Finally, Mr. Speaker, it pledges that the House will continue to support and work for all American firefighters who risk their lives every day to keep us all safe.

On June 17, Mr. Speaker, these three men were among the 350 firefighters and numerous police officers who responded to a fire and explosion at the Long Island General Supply Company. As the resolution notes, this disaster reduced a 128-year-old two-story building to a heap of broken bricks, twisted metal, and shattered glass.

Two civilians and dozens of firefighters were injured by the blaze, including two firefighters who were severely injured.

The three firefighters who died were veteran firefighters. Mr. Downing had

served for 11 years; Mr. Fahey for 14 years; Mr. Ford for 27. They left behind grieving families. Mr. Downing was a husband and father of two.

□ 1115

Mr. Fahey is survived by his wife and three children. Mr. Ford was a husband and father of three. Nothing this House can say or do, Mr. Speaker, will lessen the losses these families have experienced. At best, we can hope that they will be somewhat comforted by our recognition and appreciation for their loved ones' bravery.

As the House considers this resolution, I also ask my colleagues to remember the dangers and risks that firefighters voluntarily assume every day across the country. By honoring these firefighters, we will also honor the sacrifices of all those firefighters who lay their lives on the line day in and day out to protect their neighbors.

On a personal note, Mr. Speaker, I will add that I am the wife of a retired city fire chief. I am personally acquainted with the dangers and challenges that firefighters encounter and extend my sympathies to these families that have lost their fathers and husbands. Those of us whose family members have served as firefighters without suffering serious injuries can count our blessings and can empathize with the loss they must feel. I encourage all Members to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

On Father's Day, three brave firefighters died when a massive explosion suddenly ripped through a Queens hardware store, burying them under an avalanche of rubble.

John J. Downing, Brian Fahey, and Harry Ford lost their lives when what seemed like a routine fire turned into a five-alarm blaze. The devastation marked the deadliest day for the New York Fire Department since three firefighters were killed in a pre-Christmas 1998 high-rise blaze in Canarsie, Brooklyn.

The names of Downey, Fahey, and Ford will one day be added to the Fallen Fire Fighter Memorial Wall in Memorial Park in Colorado Springs, Colorado. In front of the memorial wall is a statue called, "Somewhere Everyday." Somewhere every day firefighters are engaged in acts of heroism and saving lives, as these firefighters were doing on Father's Day. The "Somewhere Everyday" statue depicts a firefighter descending a ladder and taking the last step of a successful rescue while clutching a child safely within his arms. The rubble from the fire forms the base of the tribute.

In the rubble of the Long Island General Supply Company building are the shattered lives of three wives, eight children, and other family, friends, and colleagues. The memorial is dedicated to them and all that they have lost.

I would only hope that they find comfort in knowing that Downey, Fahey, and Ford died doing what they loved and fulfilling their promise to keep their communities safe and the lives and homes of the people they served secure.

Mr. Speaker, I urge support for this resolution.

Mr. Speaker, I ask unanimous consent that I be allowed to yield the rest of my time to the gentlewoman from New York (Mrs. MALONEY) to manage.

The SPEAKER pro tempore (Mr. SHAW). Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER pro tempore. The gentlewoman from New York (Mrs. MALONEY) may control the time.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield 6 minutes to the gentleman from New York (Mr. GRUCCI).

Mr. GRUCCI. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, first of all, I would like to take this moment to thank my fellow colleagues in the New York delegation, Governor George Pataki, the Committee on Government Reform, and the Congressional Fire Services Caucus for joining me in honoring these brave men today.

House Resolution 172 honors the memory of these heroes who lost their lives in the line of duty on Sunday, June 17, 2001. It was a sad Father's Day, where eight children lost their dads and three wives became widows. These men, Harry Ford, 50, of Long Beach; Brian Fahey, 46, of East Rockaway; and John J. Downing, 40, a resident of Port Jefferson Station in my congressional district gave their lives fighting a fire in an effort to save the lives and properties of the people of New York. On that day, as on every other day in their careers, they lived up to the motto of the New York City Fire Department, "New York's Bravest."

Along with their fellow firefighters from Rescue Company 4 and Ladder Company 13, Harry Ford, John Downing, and Brian Fahey responded to what they believed was an ordinary five-alarm commercial fire at 2:20 p.m. at a hardware store in Astoria, Queens. As they were battling the blaze, though, an explosion ripped through the building, trapping firefighters Downing and Ford beneath the rubble of the building's facade and firefighter Fahey beneath the basement stairwell.

Their fellow firefighters valiantly worked to save them, some waving off the medical attention they themselves needed for injuries sustained in the explosion, as they desperately removed the rubble with their hands. Sadly, these three men had perished.

John Downing, a resident of New York's First Congressional District, was a loving father of two children, Joanne, 7, and Michael, 3, and the husband of Anne, who he married 11 years ago. He was one of seven children in

the Downing family, growing up in Woodside, Queens. John was one of four Downing children who went on to pursue public service as a career, joining his brother Dennis as a firefighter, while his brothers James and Joseph became police officers.

Everyone who knew John called him a hero in every sense of the word. Every day he was on the job for the past 11 years as a firefighter, John always gave his all and did his best, whether it was fighting fires or helping young firefighters to learn their jobs better. Everyone in the firehouse knew they could count on John. Knowing this, it was no surprise when firefighter Downing was on the front page of the New York Daily News 3 years ago. He was pictured on that front page as a hero once again, rescuing passengers from a commercial jet that had gone off the runway at LaGuardia Airport into the chilling waters of Flushing Bay.

Firefighting was not John's entire life, though. He was a family man, dotting over his two children and devoted to his wife. In recent weeks, he had been working a second job to bring his family on their first real summer vacation to Ireland, to visit the relatives of his family and his wife. Sadly, when the alarm for his last fire came in, John was just 2 hours away from ending his shift and beginning that vacation. As the alarm went off, John put down the study book he had been reading, preparing to take the exam to become a lieutenant in the fire department, grabbed his gear and answered his last call.

Like other firefighters, these brave men risked their lives every day that they went to work, all in the name of protecting their fellow man. We all sleep a little easier each night, go to work with an easier mind every day, and entrust our children in our schools because we know that men and women like John Downing, Harry Ford, and Brian Fahey stand ready to protect our lives, our families, and our homes.

Colleagues, please join me in supporting this resolution that recognizes the heroism and sacrifice of all firefighters, and particularly of these three brave men.

Mr. Speaker, I will submit for the RECORD the full letter from Governor George Pataki, but the letter simply says: "The five-alarm blaze that engulfed the Long Island General Supply Company presented a tremendous hazard to Astoria, Queens, neighbors. More than 350 firefighters responded to the scene to ensure the safety of these citizens and their community. In the ensuing battle to extinguish the fire, 50 firefighters were injured, and sadly these three firefighters gave the ultimate sacrifice. Their efforts prevented the fire from spreading; and as a result, no civilians were injured. This tragedy serves as a reminder to all of us that, each day, New York State's bravest

perform their duty with the highest degree of distinction and valor by forsaking their own lives to the benefit of others.

Thank you for offering this resolution and providing the House of Representatives the opportunity of honoring not only these men but all firefighters who readily risk their lives throughout the Nation." Signed in the signature of Governor George E. Pataki.

STATE OF NEW YORK,
Albany, NY, June 25, 2001.

Hon. FELIX GRUCCI,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN GRUCCI: I want to commend you for your efforts in honoring John J. Downing, Brian Fahey and Harry Ford, the courageous firefighters who tragically lost their lives in the line of duty on June 17, 2001. We all continue to mourn for the family and friends of our fallen heroes.

The five-alarm blaze that engulfed the Long Island General Supply Company presented a tremendous hazard to its Astoria, Queens neighbors. More than 350 firefighters responded to the scene to ensure the safety of these citizens and their community. In the ensuing battle to extinguish the fire, 50 firefighters were injured, and sadly these three firefighters gave the ultimate sacrifice. Their efforts prevented the fire from spreading and as a result, no civilians were injured. This tragedy serves as a reminder to us all that, each day, New York State's bravest perform their duties with the highest degree of distinction and valor by forsaking their own lives for the benefit of others.

Thank you for offering this resolution that provides the U.S. House of Representatives the opportunity of honoring not only these men, but all firefighters who readily risk their lives throughout the nation.

Very truly yours,

GEORGE E. PATAKI,
Governor.

Mrs. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume; and I first want to compliment my friend and colleague, the gentleman from New York (Mr. GRUCCI), for offering this important resolution. I am extremely proud to join him as the lead Democrat, and I congratulate the leadership on both sides of the aisle for bringing this important resolution to the floor so swiftly. It not only recognizes their valor and their sacrifice but extends the condolences of this body to their family; and it pledges our support to continue to work on behalf of all of our Nation's firefighters, who risk their lives every day to ensure the safety of all Americans.

While addressing the friends and family of Brian Fahey, one of the New York City firefighters who was killed on Sunday, June 17, the Reverend Anthony Pascual of St. Raymond Church said, "How do you measure the quality of a man's life? Not by the number of years he lived, but by his deeds." Three brave men, Brian Fahey, Harry Ford, and John Downing made the ultimate sacrifice in the line of duty.

Like all of our brave firefighters and officers, every day that they worked they risked their lives. Every time they entered a burning building, they

knew that they were putting their lives on the line. But they placed the safety of others above their own well-being. They died trying to make our city and our country a safer place.

June 17th was also Father's Day. These three men were not only firefighters but fathers, and among them they had eight children. New York City Fire Commissioner Thomas Von Essen referred to Brian Fahey as a firefighter to the core. He was a 14-year veteran of the department who was loved and respected by his colleagues and his family. In addition to coaching a little league team, one of his greatest passions was training volunteer firefighters at the Nassau County Fire Service Academy.

□ 1130

He is survived by his wife Mary, and was a father of 3-year-old twin boys, and an 8-year-old son.

Harry Ford was a 27-year veteran of the fire department who has been cited nine times for his bravery. He was renowned among his colleagues for his bravery and loyalty. He was also passionate about his family. He leaves behind his wife Denise and 3 children, a daughter age 24, and two sons, ages 10 and 12.

John Downing from Woodside, Queens, the third man killed in the blaze, was an 11-year veteran beloved by his colleagues and respected as a hardworking and dedicated fire fighter. Mr. Downing was also a passionate family man, so much so that he had worked two jobs to be able to take his family on a month-long vacation to Northern Ireland. He leaves behind his wife Anne, a 7-year old daughter, and a 3-year old son.

More than 10,000 firefighters from all over the country, some from California, Florida, and Canada, came to New York to mourn with the family and friends of these historic, heroic men.

The men and women who fight fires every day have a strong bond between them. The deaths of these fine men touched the lives of firefighters everywhere. In remembering these brave men and their great deeds, we must not only honor their memory, but act now to ensure that a preventable tragedy such as this one never happens again.

Fire Commissioner Von Essen has said that if the building had been equipped with a fire sprinkler system, the lives of these three brave men might have been spared. The fire in the Long Island supply store that killed these three men and injured many more raged for 12 hours. Stored in the basement of the building were flammable materials such as paint thinners and various other chemicals which caused the violent explosion that took the lives of these men. Because the building was 128 years old, it predated the New York City ordinance that requires a sprinkler system.

Mr. Speaker, I strongly support the efforts of my colleagues in city govern-

ment who, in learning about this terrible tragedy, are working to enact legislation requiring sprinkler systems in all buildings that store flammable materials. We must ensure that such a tragedy does not reoccur so that the selfless sacrifices of these three men, heroes to all New Yorkers, were not in vain.

One of my colleagues is the author of the Fire Safety Act, and I yield to the gentleman before he returns to his committee.

Mr. Speaker, I yield 30 seconds to the gentleman from New Jersey (Mr. PASCRELL) to place into the record his comments.

(Mr. PASCRELL asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. PASCRELL. Mr. Speaker, we are here to salute brothers Downing, Fahey, and Ford. Too many times, my brothers and sisters here in the Congress, we have forgotten the other half of the public safety equation.

Our words are significant and important. I join with the gentlewoman in sympathy, but we need to do something in the House of Representatives that sends a clear message to all 32,000 fire departments across America and all 1 million firefighters that we stand with them; otherwise, their deaths will have been in vain.

Mr. Speaker, I encourage Members to join and fund what we say we are going to fund. God bless these heroic men and their families.

I thank Congresswoman MALONEY and Congressman GRUCCI for allowing me the opportunity to speak on this important resolution.

As a former mayor of a medium-sized city, I know the important role that firefighters play in what I call the Public Safety Equation. And although their role is often forgotten, firefighters risk their lives every day to save ours.

On June 17, 2001, three more firefighters gave their lives in the line of duty. John J. Downing, Brian Fahey, and Harry Ford—all long-time veterans of their respective fire companies and all men with families—made the ultimate sacrifice as they battled a fire in Queens, New York on that fateful day.

It is important to remember these men and those before them, because they truly are heroes.

And it is important that we put our money where our mouths are, and not just sing the praises of firefighters at local parades and in small town meetings. Instead, we need to make sure that we are providing adequate support for fire departments around the country to supplement local responsibilities.

Next month, the VA-HUD Appropriations bill will be marked up. This bill will include, hopefully continued funding for the Firefighter Assistance Grant Program that was authorized last year.

This bill will provide competitive grants directly to the over 32,000 paid, part-paid and volunteer fire departments across America.

As a result of the unity and commitment of firefighting community and its supporters, the President has returned funding for this program to his budget.

In order for this program to really help firefighters, it must be funded appropriately—and that is \$300 million.

And let's provide this funding with the same bipartisan zeal that we have displayed throughout the process. That is only appropriate. When firefighters run into a burning building, they don't ask the people they are saving if they are Democrats or Republicans—and we owe them the same commitment.

Let's not just speak our thanks on the House Floor. Let's demonstrate our support and provide firefighters with the resources they need to do their job.

Let's do it for John J. Downing, Brian Fahey, and Harry Ford and their families. Let's do it for every firefighter in every department in every state. It's the least we can do.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, I commend our colleague, the gentleman from New York (Mr. GRUCCI) for his continued dedication to our Nation's firefighters and for the work he has done, along with Members on both sides of the aisle in bringing this resolution before the House today.

Each year, thousands of men and women risk their lives to protect the lives and property of all of American communities. Sadly on June 17, Father's Day, three firefighters died in their line of duty fighting fire in Astoria, Queens: Brian Fahey and Harry Ford, from Rescue Company 4, and John Downing, from Ladder Company 163, were not only firefighters and fathers, they were prime examples of experienced men that our New York communities have to offer. Brian Fahey was a 14-year veteran, a skilled instructor, who left behind a wife and three children.

John Downing had three children and was planning a trip to Ireland; and Harry Ford, who was a father of three, was cited nine different times for his outstanding acts of bravery. All three were Irish Americans whose lives will not be forgotten by their families or their communities.

Mr. Speaker, we are here today honoring their lives and giving thanks for their service, promoting the virtue of their profound and unending sacrifices, and most importantly, to join in consoling their families for their loss of lives.

At the same time, let us take advantage of this opportunity to again pledge our support for all of the dedicated brave men who go to work each day risking their lives protecting both the lives and property of our citizens. It is unfortunate that it takes a tragic event such as this to initiate a dialogue of the profound sentiment we all feel about our brave firefighters, our police officers, our soldiers, and all of the men and women who ask them to risk their lives for the sake of others. Every town, community, and nation is founded on the sacrifices of those men and women willing to risk their lives for the betterment of others. I urge my colleagues to join in fully supporting this measure, H. Res. 172.

Mrs. MALONEY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. McNULTY).

Mr. McNULTY. Mr. Speaker, I am honored to join with my colleagues today in saluting and paying tribute to John Downing, Brian Fahey, and Harry Ford and expressing our condolences to their families.

What happened on Father's Day this year is a very sad reminder of what happens all too often in this country. It reminded me specifically of that sad day a couple of years ago when we lost six of our firefighters in that tragic fire in Worcester, Massachusetts.

Mr. Speaker, I have spent a lot of time with firefighters during the course of my career. I had the tremendous honor of serving as the mayor of my hometown, as my father did before me and as he does to this very day at the age of 90. In the course of our careers, we had the opportunity to work with a great many outstanding firefighters. Today I spend some of my leisure time with my firefighter friends at Engine 1 in Troy, New York, named for the late Harry Dahl, who gave 44 years of his life in the fire service in the city of Troy, New York. I have seen firsthand the dangers that firefighters face every single day of their lives.

Also a few years back, from the neighboring city of Watervliet, responding to a mutual alarm in Troy, New York, our fire chief, Tommy McCormack, lost his life in the line of duty.

Mr. Speaker, nothing can bring back John or Brian or Harry, but I suggest that there is something that we can do. We can express our gratitude to all of the firefighters who are serving us today. And so today I suggest to all of those who are within the sound of my voice, what I did on the day of the burial of those six heroes in Worcester, the next time when taking a stroll in the neighborhood when walking past a fire house, stop by, say hello and say thank you to the firefighters. Look them in the eye and say thank you for putting their lives on the line for us and our families 365 days a year.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. FOSSELLA).

(Mr. FOSSELLA asked and was given permission to revise and extend his remarks.)

Mr. FOSSELLA. Mr. Speaker, I commend my friend from Long Island, the gentleman from New York (Mr. GRUCCI) for bringing this resolution to the floor.

Mr. Speaker, for those of us who honored our fathers on Father's Day, it was pouring rain that day. The whole morning looked like the day was going to be ruined. About 2:00 the sun came out in Staten Island and worked its way eastward. There was a call in Queens about that time, and it seemed to be a routine fire. It did not look like it was a big deal until we discovered the news which has been echoed here, that three brave firemen lost their lives.

The purpose here today is to take a moment to honor those men who

bravely gave their lives; and to say to the other firemen that their brothers did not die in vain. Their families who survived, the children, our hearts and prayers go out to them; and I hope through their faith they are able to come through this tragedy with the knowledge that others share their grief.

Mr. Speaker, the New York Fire Department in particular is a wonderful resource. In Staten Island, we have lost too many firefighters: Captain John Drennan, Scott Lapedera, George Lenner, Chris Sidenberg. These are young heroes who died way before their time.

Mr. Speaker, so to the families especially, know that Members of Congress, Democrats and Republicans, really honor what those brave men did; and we will miss them.

Mrs. MALONEY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. CROWLEY).

(Mr. CROWLEY asked and was given permission to revise and extend his remarks.)

Mr. CROWLEY. Mr. Speaker, I rise today in support of my colleagues, the gentleman from New York (Mr. GRUCCI) and the gentlewoman from New York (Mrs. MALONEY), and thank them for offering this resolution to memorialize John Downing, Brian Fahey, and Harry Ford, three of New York's bravest.

They were members of the New York City Fire Department who were killed in the line of duty on Father's Day, Sunday, June 17. Each of these men was a decorated veteran of the fire department. Harry Ford was a 27-year veteran; Brian Fahey had served for 14 years; and John Downing had served for 11 years. Words alone cannot express the sadness that we all feel about the deaths of these men. I can only begin to express my sympathy for their families, especially the eight children now left behind.

All of these men worked in my district in the Seventh Congressional District in Queens. Harry Ford and Brian Fahey worked at the elite Rescue 4 Unit just up the block from where I grew up, and John Downing of Engine Company 163 also stationed in Woodside, although lived on the Island, grew up in Woodside, was schooled in St. Sebastian School, and was buried out of St. Sebastian's Church on Friday.

Mr. Speaker, last Friday I had the opportunity to attend the funeral of John Downing, and I sat with his family and the families of the other firefighters that were killed, the Ford and Fahey families. I sat with his colleagues, including my first cousin, Battalion Chief John Moran, who was injured in that fire and spent 2 days in the hospital himself after smoke inhalation trying to recover Mr. Fahey's body.

Mr. Speaker, I was reminded by this experience that the New York City firefighters were the bravest men and women in the United States. Heroic action taken by the men and women of

the New York Fire Department is something that occurs on a daily basis. To those who worked alongside them, I want to take the opportunity to say thank you for the job that they do every day. I am heartened to see the outpouring of sympathy and affection that has been expressed throughout New York and in my home district of Woodside for these brave men who fell in the line of duty on Father's Day.

Mr. Speaker, I hope we can let the example of these three heroes serve as an example for all of us. Mr. Speaker, these heroes made the ultimate sacrifice in the line of duty. I know Members join me in paying tribute to their incredible bravery.

Mr. Speaker, last night my cousin was on Dateline, and he recounted a saying that he was taught in the department before he took the job. It goes along the lines of this, the only act of bravery or heroism is the day that they sign up and take the job in the fire department; every other day is just a normal, line-of-duty day. That is the attitude these men and women have.

Mr. Speaker, may God bless them and keep them; and may God bless and keep their families.

□ 1145

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. KING).

Mr. KING. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I am proud to join with my colleagues today in supporting this resolution. I want to commend the gentleman from New York (Mr. GRUCCI) for the leadership he has shown on this issue, as he has shown on so many since he has come to the United States Congress.

Mr. Speaker, the great bravery of these men has been detailed by the previous speakers today. I have a particular interest in this matter, because Harry Ford and Brian Fahey are both constituents of mine, Harry Ford from Long Beach and Brian Fahey from East Rockaway. Each left behind a wife and three children. They really epitomize what the New York City Fire Department is all about. Of course, as the gentleman from New York (Mr. CROWLEY) said, John Downing grew up in the community of Woodside, where I also grew up, and which is now so ably represented by the gentleman from New York (Mr. CROWLEY).

I say this, I make the personal connection only because I think too often we take for granted that so many of the men and women we know who are firefighters are doing such a courageous job day in and day out, and yet we take it for granted; we assume they are going to do the job.

It is only when something as tragic and momentous as this terrible Father's Day incident occurred, that it drives home to us just how brave they are, just how much they put their lives on the line, day in and day out. I can-

not imagine what a dangerous job, I cannot imagine what a tragic death, than what these three firefighters went through.

So I today join with all of my colleagues in expressing not only our condolences, but also our thanks and gratitude for what firefighters in New York City, Long Island, throughout our State and throughout our Nation do.

Every day they put their lives on the line, we are the beneficiaries; and it is unfortunate that it takes something as tragic as this Father's Day disaster to remind us of just how deserving these men and women are of our undying thanks and gratitude.

So, again, I thank the gentleman for introducing the resolution. I am proud to urge its adoption. I certainly send my best wishes and condolences to the wives and children of these three brave firefighters.

Mrs. MALONEY of New York. Mr. Speaker, I yield 2 minutes to my friend, the gentleman from New York (Mr. ISRAEL).

(Mr. ISRAEL asked and was given permission to revise and extend his remarks.)

Mr. ISRAEL. Mr. Speaker, let me thank my distinguished colleague, the gentleman from New York (Mrs. MALONEY), as well as my friend and neighbor, the gentleman from Long Island, New York (Mr. GRUCCI), for bringing this resolution to the floor.

Mr. Speaker, even as a new member of the Congressional Fire Services Caucus, I believe that no Member of Congress' words can adequately describe the loss that we have suffered. So I would like to include in the RECORD today excerpts of a recent Newsday editorial entitled, "For Firefighters, Risk of Death Is All in a Day's Work."

The editorial begins, "The job has not changed that much over the years," George Burke of the International Association of Firefighters said yesterday. "While most people run away from disasters, firefighters are paid to run straight into them. And for all of the recent equipment advances, the guarantees of safety are still precious few. A building filled with working firefighters can suddenly explode like a bomb. Or a flaming roof can collapse. Or a wooden floor can give away without warning. All of this may easily explain why fire fighting is the nation's most dangerous public sector job."

"On Father's Day afternoon three members of the New York Fire Department, Harry Ford, John Downing and Brian Fahey, died as they tried to protect residents of Astoria, Queens, from the dangers of a horrific hardware store fire. All told, the three men leave behind eight children."

"In addition, two other FDNY members were seriously injured in the disaster, Joseph Vosilla and Brendan Manning, and some 50 more were less seriously hurt. This goes with the territory as well. Burke says 40 percent of all firefighters nationally suffer an injury in the line of duty every year."

"We have lost 3 very brave firefighters," Mayor Rudolph Giuliani said on Sunday of Ford, Fahey and Downing. "This is one the most tragic days that I can remember."

The mayor is right about that, and I join the rest of the New York delegation and all Members of Congress in offering my condolences to the families and fellow workers of these selfless men.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. WELDON).

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, as my colleagues know, I would not be in this body, I would not be in politics, were it not for the fire service. I grew up in a firehouse family, and I became president and chief of my fire company, went back and got a degree in fire protection and helped train the firefighters from 80 companies before I came here.

It is tragic that we have to come to talk about the fire service when we have funerals. I have been to hundreds of firefighter funerals in this city, in New York, and around the country.

Each year we lose over 100 firefighters. Many of them are volunteers. Because we have 1.2 million firefighters in the country out of 32,000 departments, each year 100 of them die.

We come today to pay the respects for three more heroes who made the ultimate sacrifice, three ordinary people doing extraordinary things, who left behind children, who had dreams. In fact, John Downing was about to go on his vacation the day after he was killed in that tragic fire. Harry Ford and Brian Fahey were outstanding professionals in every sense of the word.

We come today to honor them, and I want to give my highest respect to their families and to the work they have done.

But that is not enough. We in this body must now recognize that these brave individuals need our support. We fund \$300 billion a year for international defenders, our military, and I am in the forefront of that support. We fund \$4 billion a year in this body for support of our law enforcement professionals, even paying for half the cost of their police vests.

The total funding for the fire service up until last year was zero, nada, even though we are now asking them to deal with international incidents, like terrorism. The World Trade Center bombing, which I attended, was handled with Fire Department firefighters from New York City.

So I say the highest honor that we can bestow upon these three individuals is to renew our efforts to increase funding to give the proper technology to these heroes nationwide. They deserve thermal-imaging protection. They deserve turnout suits. They deserve the kind of GPS systems to allow

their chiefs to know where they are in the building, so they are not trapped by toxic gasses, so they know what floor they are on.

All of these are within our capability; and as a tribute to these three people, we should renew our efforts to make sure that happens.

In working with my good friend, the gentleman from New York (Mr. GRUCCI), who has been a tireless advocate for the fire service on Long Island, I pledge my continued support to make sure we never forget the legacy of these three brave American heroes.

Mrs. MALONEY of New York. Mr. Speaker, I yield 2 minutes to my friend, the gentleman from New York (Mr. WEINER).

Mr. WEINER. Mr. Speaker, tonight as we lay our heads down to sleep, all across this country and in New York City, we will be tucking in our children, telling them good-night stories, knowing that they will be safe until morning.

Well, that is not true for the eight children who lost their fathers in the blaze on June 17. Frankly, as all of us sleep at night, we do so sanguine in the knowledge that all across this country, and particularly in New York City, we have brave men and women who spend that night watching over us, literally. There is probably no other profession in the world where a group of men and women sits by the phone waiting for the worst and most horrific things to happen so they can jump into duty.

Well, today while we take the opportunity to commemorate the lives of Brian Fahey, Harry Ford and John Downing, we recognize, of course, that every day here after and every day so far we have been protected by the men and women of New York's bravest and all those fire officials all around the Nation.

Tonight and every other night we might think in our prayers to say thank you for the firemen and women who protect us, but perhaps this is an opportunity for us to be reminded that we ought to. Very rarely do we wake up in the morning and say I want to thank God there was no fire in my house last night. But we should always remember that, if there ever is, there is going to be a group of very heroic people who are requesting to run to that problem.

We do not know the three men very closely that we memorialize today, but all throughout our country there are others like them. Perhaps this is an opportunity for us the next time we walk by our local firehouse to stick our head in and say thank you.

To those eight children who lost their fathers on Father's Day, there are no words that can comfort you, except that you should know that your fathers were true American heroes and we in the United States House of Representatives pay tribute to them today.

Mrs. MALONEY of New York. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman for yielding me time. I thank the sponsor of this legislation, and I come as a friend to the floor of the House.

The last couple of days I have been talking about Houston and the tragedies that we have faced. In facing those tragedies, the key element of helping to recover those people who were in need in Houston were firefighters. So I come today to pay honor to the New York firefighters, John Downing and Brian Fahey and Harry Ford, who lost their lives on Father's Day.

This is simply a statement to say that those of us who have grown up looking at the firefighters as major heroes, tall, now men and women, still continue to admire them for the sacrifice they make every day on our behalf.

Firefighters save lives on a daily basis, whether it is resuscitating a victim; whether it is getting a frightened family out of a burning building; whether it is dealing with hazardous toxic wastes, and maybe even putting a smile on someone's face in the well-renowned effort to save a cat out of a tree. Firefighters are our best friends.

And to those eight children of those wonderful men, might I say to you that your fathers will continue to be American heroes. How sad that they lost their lives on Father's Day; but how important it is for us to never, never forget.

I rise today in support H. Res. 172 which honors New York firefighters John J. Downing, Brian Fahey, and Harry Ford who gave their lives in the service of their community and their country.

On Sunday, June 17, 350 firefighters and numerous police officers responded to an emergency call at the Long Island General Supply Company in Queens, NY. During the course of the battle to put out the blaze, two civilians and dozens of firefighters were injured, two of whom were injured severely. Tragically, three firefighters were killed in the course of their duty as firefighters: John J. Downing of Ladder Company 163, a husband, a father of two, and an 11-year veteran; Brian Fahey of Rescue Company 4, a husband, a father of three, and 14-year veteran; and finally, Harry Ford of Rescue Company 4, a husband, a father of three, and 27-year veteran.

Mr. Speaker, this resolution honors these great heroes of our community who made the ultimate sacrifice of their lives so that we all may sleep better and safer at night.

This resolution expresses our deepest sympathy for their families of these brave heroes, and pledges our support and work on behalf of all of the nation's firefighters.

To all of those who lost in this blaze, the families, and to all the unspoken heroes who fight for us and risk life and limb each and every day, this Congress expresses its sincerest gratitude on behalf of the American people. Your commitment and sacrifice will live on in all of us forever.

Mrs. MALONEY of New York. Mr. Speaker, I include for the RECORD information for the memorial for all of our fallen heroes and our tributes

today for our three heroes from New York.

THE MEMORIAL, MEMORIAL PARK, COLORADO SPRINGS, CO

"SOMEWHERE—EVERYDAY"

"Somewhere-Everyday", is the copyrighted title given to the 17 foot, "Heroic" bronze Memorial statue by Artist and Sculptor Mr. Gary Coulter since it is with this frequency that somewhere every day Fire Fighters are engaged in acts of heroism and saving lives. All too often Fire Fighters give the ultimate sacrifice . . . their lives, in the line of duty. Mr. Coulter has captured the last step of a successful rescue while clutching a child safely within sheltering arms. The rubble of fire forms the base of this magnificent tribute of dedication and heroism. Mr. Coulter designed, with purpose, unequal beams of the 17 foot tall ladder. In the "art" world, "unequal, parallel, lines define infinity". As Gary stated, Fire Fighters acts of heroism does just that . . . it will always be that way!

"Somewhere-Everyday" weighs 2,600 pounds, it's base extends 40 feet into the ground to bed rock. Somewhere-Everyday, was delivered to the Fallen Fire Fighter Memorial Committee in 1987 after nine months of work and a cost of \$60,000. This remarkable sculpture was dedicated October 15th, 1988.

Behind the Memorial sculpture is the Wall-Of-Honor containing names of Fire Fighters that have died in the line of duty since 1976. There have been countless numbers of Fire Fighters prior to this year that have made the ultimate sacrifice. 1976 is however when the United States Congress passed a bill titled the Public Service Officers Benefit and began real recording of deaths in the line of duty of Fire Fighters. This does not take away any feelings the Brotherhood of Fire Fighters. This does not take away any feelings the Brotherhood of Fire Fighting has for those in the past that have died-in-the-line-of-duty. It is further reason to identify, in silent tribute, the immeasurable numbers of devoted, courageous acts of heroism for accurate inscriptions.

Fire Fighters are all: Part kid, adult, husband, father, or even wife or mother. They all are in real life human and have families. A Fire Fighters's family struggles daily as their "Hero goes off to work without security in knowing if their loved one will be hurt before seeing him/her again. They all know the dangerous profession that has been chosen by their special person. With every wail or siren, uncertainty tugs at heart-strings" in a way that only a Fire Fighters Wife, Husband, Mother, Father or Family feels. It is to them that this Memorial is dedicated. Special people . . . caring and living in a very special way.

"LAMENTATIONS"

A gallant, noble sacrifice,
a selfless life laid down:
So rare this public servant's worth,
no greater treasure found.
No greater act of decency,
no greater human love,
no greater courage demonstrated
by lives they gave.

This tribute to unselfish hearts
today will testify,
that health and safety have a price,
that firefighters die.
The shadow of this sentinel,
into tomorrow cast,
forever will the gravestones shield
of heroes who have passed.

It bathes their tombs in bravery,
and brands upon our memory
the fight they gave, the cancelled debt,
let town and peoples not forget

the price they paid to keep us safe, our lives and homes secure. We honor these who gave their all their memories here endure.

—*Firehouse Poetry by Lt. Aaron Espy, L.A.F.F. #2819.*

The SPEAKER pro tempore (Mr. FOSSELLA). The time of the gentlewoman from New York (Mrs. MALONEY) has expired.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from New York (Mr. GRUCCI) for introducing this resolution. I also thank the gentleman from Indiana (Mr. BURTON), the chairman of the Committee on Government Reform; the gentleman from Florida (Mr. SCARBOROUGH), the chairman of the Subcommittee on Civil Service and Agency Organization; as well as the ranking members of the full committee and subcommittee, the gentleman from California (Mr. WAXMAN) and the gentleman from Illinois (Mr. DAVIS), for expediting consideration for this resolution.

I urge all Members to support this resolution.

Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, we are here to pass this resolution honoring John Downing, Brian Fahey and Harry Ford, who lost their lives on Father's Day in the course of a tragic fire in New York; but really we are honoring all firefighters, because there are hundreds of thousands of firefighters throughout this land, in New York and every other State, who daily risk their lives; and it is only by accident of fate that these three people, unfortunately, were killed.

Every firefighter risks his or her life every day of the year for the safety of all of us, and certainly we ought to honor them and their sacrifices and their potential sacrifices. We all sleep soundly, and we take for granted the heroism of these people whose services we might need at any day. They are not paid as well as they should be, they live probably in conditions not as well as they ought to, but we all depend on them for our lives and property; and we ought to honor them and express our sorrow and our condolences at this loss.

Mr. Speaker, I join in supporting this resolution.

Mr. HOYER. Mr. Speaker, I rise today in support of honoring New York City firefighters John Downing, Brian Fahey, and Harry Ford.

Mr. Speaker, these three brave men made the ultimate sacrifice on June 17th when they responded to a fire at a hardware store in Queens in the early afternoon.

Some might have called it a routine call. All three men were veterans of the department and had between 11 and 27 years of experience in one of the busiest departments in the country. Undoubtedly they had all been on this type of call hundreds of times before.

Unfortunately, no call in the fire service is ever really routine. Every 82 seconds in this country the call for help goes out to America's fire service. And when that alarm bell rings, the men and women of the fire service know all too well that the call could be their last.

Every year in this country we lose about 100 firefighters in the line of duty. A number that I consider appallingly high. An additional 45,000 firefighters suffer injuries—some of them permanently debilitating. When you factor in training accidents and injuries sustained responding to calls, the number tops 88,000.

I did not know firefighters Downing, Fahey, or Ford. But they say that the measure of a man's character is his service to others. By this standard these men were giants for the sacrifice they made. I urge all of my colleagues to support this resolution.

Mr. WALSH. Mr. Speaker, I also rise in support of House Resolution 172 to honor fallen New York City Firefighters John J. Downing of Ladder Company 163, Brian Fahey, and Harry Ford both of Rescue Company 4. These men made the ultimate sacrifice in carrying out their sacred duties this past Father's Day, June 17th fighting a terrible blaze. In that tragic fire at the Long Island General Supply Company in Queens, New York our state lost three brave heroes, three dedicated fathers, and three devoted husbands. Words can not describe the debt of gratitude we as a nation owe these fine men. I join my Colleagues in expressing my deepest sympathies to their families.

At 2:20 p.m. that Sunday the alarm came in. As they had done so many times in the past, for so many years, Firefighters Downing, Fahey and Ford responded to the call without hesitation. At first, the blaze appeared to be small and routine. Then as the fire built inside, a massive explosion erupted turning the 128-year-old store into a heap of rubble. In the wake of the blast, these three brave men had answered their final alarm trying to enter the building to do a job they had accomplished so many times before.

Much like the 1.7 million firefighters across the nation including the volunteers and paid professionals in my own district in Central New York, these men and their families knew and accepted the risks associated with the nature of their work. Each and every day, whenever the fire whistle blows, fire bell rings, or fire pager sounds, the firefighters in our country respond in an instant, working to protect and secure the lives and property of others and ready to make the same sacrifices that were made in Queens this past Father's Day.

As we honor our fallen heroes from New York City, we must also remember the brave men and women who fight fires on a daily basis in our country. From fighting structure fires to rescuing entrapped victims at motor vehicle accidents, our nation's firefighters are fearless in practicing the laws of God, as they are brave in protecting the lives and property of their fellowmen. Firefighters Downing, Fahey, and Ford took this spirit to the ultimate limit. We are fortunate to have so many firefighters like these men, firefighters who believe in what they are doing, and who will fight to the very end for what they believe. For this, I pay tribute to them as well as to all the brave firefighters across our nation.

Mrs. JONES of Ohio. Mr. Speaker, I rise today to talk about issues of public safety. H. Res. 172, honoring the fallen firefighters from

the Father's Day blaze in New York City, was on the floor this afternoon commemorating the heroic efforts of those firefighters. John Downing, Brian Fahey, and Harry Ford were dedicated and experienced firefighters whose service to the city they loved was truly inspirational.

It strikes me that being a firefighter is one of the most physically challenging and dangerous professions possible. The men and women who undertake firefighting as a career are at risk every day trying to keep their fellow citizens safe from fires but also are responsible for an ever-growing number of tasks. Today's firefighters are responsible for hazardous material clean up, response to terrorist threats and emergencies, and providing information to citizens on fire safety techniques.

America's colleges let out for the summer recently but not without some loss of innocence for our children. Fire can affect our kids as much as it affects the lives of firefighters. I have introduced H.R. 2145, the Campus Fire Prevention Act, in an effort to address the safety of college students. My legislation will provide funds for the installation of fire sprinklers and other fire suppression devices in college dormitories, fraternities and sororities.

Even one death is too many; one injury is too many when it comes to the safety of our children. The tragedy at Seton Hall University in 1998 opened the eyes of parents and students to the risks of living in dormitories that had not been outfitted with sprinklers or other fire suppression. My bill will provide matching funds to a university or organization that applies given approval by the Department of Education and the Fire Administration.

This past school year in Ohio there were four students killed in campus fires. A December fire at the University of Dayton killed one male student in a house fire in a building owned by the university. In May 2001, two fires killed students at John Carroll University and Ohio University. Both students were scheduled to graduate this year. Unfortunately this is not unique to Ohio, there were fire related injuries and fatalities throughout America's universities.

I encourage my colleagues to join me in enacting H.R. 2145, it is a common sense measure that has already gained 43 cosponsors. Data has demonstrated fire sprinklers work in protecting property and preventing injury. In buildings with functional fire sprinklers there has not been a fire resulting in more than two fatalities.

We should honor the fallen firefighters from New York by helping to prevent future tragedies for firefighters and other innocent Americans.

TALKING POINTS

How often do fires occur in school, college, and university dormitories and fraternity and sorority houses?

In 1997, the latest year for which national fire statistics are available, an estimated 1,500 structure fires occurred in school, college, and university dormitories and fraternity and sorority housing. These fires resulted in no deaths, 47 injuries, and \$7 million in direct property damage. Between 1993 and 1997, an estimated average of 1,600 structure fires occurred each year, resulting in eight fatal fires known to NPFA, representing a total of 16 deaths over the five years of 1993–1997, 66 injuries, and \$8.9 million in direct property damage per year.

How many fires occur specifically in fraternity and sorority housing?

Between 1993 and 1997, an annual average of 154 structure fires occurred in fraternity and sorority houses, resulting in 18 injuries, and \$2.9 million in direct property damage per year.

What are the most common causes of fires at school, college, and university dormitories and fraternity and sorority housing?

The leading cause of fire in these types of occupancies is incendiary or suspicious causes. The second and third causes of these on- and off-campus housing fires are cooking and smoking, respectively.

How often are smoke or fire alarms and fire sprinklers present in dormitory fires?

In 1997, smoke or fire alarms were present in 93% of all dormitory fires, but sprinklers were present in only 28% of these fires. These figures apply only to properties where fires occurred; the overall fraction of properties with these active systems is probably higher. On average, direct property damage per fire is 36% lower in dormitory fires where sprinklers are present compare to those where sprinklers are not present.

H.R. 2145—the Campus Fire Prevention Act is identical to legislation introduced in the Senate by Senator JOHN EDWARDS of North Carolina and designated S. 399.

The bill is intended to supply money for colleges to retrofit sprinklers in dorms and allows fraternities and sororities to access the \$100,000,000 in money each year over 5 years.

The bill provides money in the form of federal matching grants for the installation of fire sprinkler systems and other fire suppression or prevention technologies in college living situations (including sororities and fraternities).

Priority would be given to any organization applying for the money from the bill with an inability to fund the fire suppression without accessing the funds under the bill.

Grants would be administered through the Department of Education in consultation with the U.S. Fire Administration.

The bill does not mandate using fire sprinkler systems in dorms, only provides funds for those who would like to make their residents safer.

Currently there are 43 cosponsors to H.R. 2145 and it has received endorsements from many campus organizations like the College Parents of America and the National Association of Student Personnel Administrators.

Mrs. MCCARTHY of New York. Mr. Speaker, I extend my deepest condolences to the families of John J. Downing, Brian Fahon, and Harry Ford. Each of them will be sorely missed. We are forever in your debt and can never repay your loss. More than just firefighters, these men were husbands, fathers, and upstanding members of their communities. They paid the ultimate sacrifice and taught us a powerful lesson about honor, bravery, and sacrifice. These are traits that all firefighters possess. It is a shame that only through such tragedies we recognize this fact.

They were great firefighters, husbands, and fathers. Since the tragic June 17 event, America learned of the vibrant and rich lives of these three men. In the process, we developed a love for them and cried with their families as they mourned their losses. John J. Downing, an 11-year veteran, husband and father of two; Brian Fahey, a 14-year veteran,

husband and father of three; Harry Ford, a 27-year veteran, husband and father of three will not be forgotten. Mr. Downing became famous for his bravery in the 1992 USAir plane crash into Flushing Bay. Mr. Fahey was considered one of the fire department's elite, he worked in the rescue department. Mr. Ford was cited for bravery ten times during the course of his career, including rescuing a baby from a burning building. It is clear to everyone they were exceptional at their job.

These men did not die in vain. Today, as we recognize their bravery, let us pledge our support to work on behalf of all of the nation's firefighters who risk their lives every day to ensure the safety of all Americans.

Mr. ACKERMAN. Mr. Speaker, I rise today with mixed emotions as we pay tribute to firefighters John J. Downing, Brian Fahey and Harry Ford. As I stand here I cannot help but feel both sadness and admiration, both respect and grief. While this tragedy is unfortunately close-to-home for New Yorkers, people the world over are paying homage to these three men today.

Sadness, Mr. Speaker; that these brave men's lives were tragically taken from their families, friends and communities on June 17, 2001 when they dutifully responded to the call to put out a deadly fire that was destroying the Long Island General Supply Company in Astoria, New York.

Admiration, Mr. Speaker; for these three firefighters who exemplified the word: Heroes. These three heroes woke-up every morning, ready and willing to fight any fire that threatened our community. These three heroes who worked so that the rest of us could enjoy our lives free from worry or concern of a deadly fire.

Respect, Mr. Speaker; for these three heroes who were dedicated to a career as firefighters that required them to work to protect individuals that they may never have known. When they were called on to rescue these people from fires, these three heroes did so with the same commitment that they would feel for protecting their own families.

And grief, Mr. Speaker; for the devoted wives, loving children and proud communities that are without these three heroes as a result of this horrific tragedy.

Mr. Speaker, I rise today in unity with the entire NY Congressional delegation and ask our colleagues in the House of Representatives today to join us in honoring the memory of firefighters John J. Downing, Brian Fahey and Harry Ford.

□ 1200

The SPEAKER pro tempore (Mr. FOSSELLA). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and agree to the resolution, House Resolution 172.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mrs. MALONEY of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further

proceedings on this motion will be postponed.

BROWN V. BOARD OF EDUCATION 50TH ANNIVERSARY COMMISSION

Mrs. MORELLA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2133) to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in *Brown v. Board of Education*, as amended.

The Clerk read as follows:

H.R. 2133

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress finds that as the Nation approaches May 17, 2004, marking the 50th anniversary of the Supreme Court decision in *Oliver L. Brown et al. v. Board of Education of Topeka, Kansas et al.*, it is appropriate to establish a national commission to plan and coordinate the commemoration of that anniversary.

SEC. 2. ESTABLISHMENT.

There is established a commission to be known as the "Brown v. Board of Education 50th Anniversary Commission" (referred to in this Act as the "Commission").

SEC. 3. DUTIES.

In order to commemorate the 50th anniversary of the *Brown* decision, the Commission shall—

(1) in conjunction with the Department of Education, plan and coordinate public education activities and initiatives, including public lectures, writing contests, and public awareness campaigns, through the Department of Education's ten regional offices; and

(2) in cooperation with the Brown Foundation for Educational Equity, Excellence, and Research in Topeka, Kansas (referred to in this Act as the "Brown Foundation"), and such other public or private entities as the Commission considers appropriate, encourage, plan, develop, and coordinate observances of the anniversary of the *Brown* decision.

SEC. 4. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed as follows:

(1) Two representatives of the Department of Education appointed by the Secretary of Education, one of whom shall serve as Chair of the Commission.

(2) Eleven individuals appointed by the President after receiving recommendations as follows:

(A) Members of the Senate from each of the States in which the lawsuits decided by the *Brown* decision were originally filed, Delaware, Kansas, South Carolina, and Virginia, and from the State of the first legal challenge, Massachusetts, shall jointly recommend to the President one individual from their respective States.

(B) Members of the House of Representatives from each of the States referred to in subparagraph (A) shall jointly recommend to the President one individual from their respective States.

(C) The Delegate to the House of Representatives from the District of Columbia shall recommend to the President one individual from the District of Columbia.

(3) Two representatives of the judicial branch of the Federal Government appointed by the Chief Justice of the United States Supreme Court.

(4) Two representatives of the Brown Foundation.

(5) Two representatives of the NAACP Legal Defense and Education Fund.

(6) One representative of the Brown v. Board of Education National Historic Site.

(b) **TERMS.**—Members of the Commission shall be appointed for the life of the Commission.

(c) **VACANCIES.**—A vacancy in the Commission shall be filled in the same manner as the original appointment.

(d) **COMPENSATION.**—

(1) **IN GENERAL.**—Members of the Commission shall serve without pay.

(2) **TRAVEL EXPENSES.**—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(e) **QUORUM.**—A majority of members of the Commission shall constitute a quorum.

(f) **MEETINGS.**—The Commission shall hold its first meeting not later than 6 months after the date of enactment of this Act. The Commission shall subsequently meet at the call of the Chair or a majority of its members.

(g) **EXECUTIVE DIRECTOR AND STAFF.**—The Commission may secure the services of an executive director and staff personnel as it considers appropriate.

SEC. 5. POWERS.

(a) **POWERS OF MEMBERS AND AGENTS.**—Any member or agent of the Commission may, if so authorized by the Commission, take any action which the Commission is authorized to take under this Act.

(b) **GIFTS AND DONATIONS.**—

(1) **AUTHORITY TO ACCEPT.**—The Commission may accept and use gifts or donations of money, property, or personal services.

(2) **DISPOSITION OF PROPERTY.**—Any books, manuscripts, miscellaneous printed matter, memorabilia, relics, or other materials donated to the Commission which relate to the Brown decision, shall, upon termination of the Commission—

(A) be deposited for preservation in the Brown Foundation Collection at the Spencer Research Library at the University of Kansas in Lawrence, Kansas; or

(B) be disposed of by the Commission in consultation with the Librarian of Congress, and with the express consent of the Brown Foundation and the Brown v. Board of Education National Historic Site.

(c) **MAILS.**—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

SEC. 6. REPORTS.

(a) **INTERIM REPORTS.**—The Commission shall transmit interim reports to the President and the Congress not later than December 31 of each year. Each such report shall include a description of the activities of the Commission during the year covered by the report, an accounting of any funds received or expended by the Commission during such year, and recommendations for any legislation or administrative action which the Commission considers appropriate.

(b) **FINAL REPORT.**—The Commission shall transmit a final report to the President and the Congress not later than December 31, 2004. Such report shall include an accounting of any funds received or expended, and the disposition of any other properties, not previously reported.

SEC. 7. TERMINATION.

(a) **DATE.**—The Commission shall terminate on such date as the Commission may determine, but not later than February 1, 2005.

(b) **DISPOSITION OF FUNDS.**—Any funds held by the Commission on the date the Commission terminates shall be deposited in the general fund of the Treasury.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$250,000 for the period encompassing fiscal years 2003 and 2004 to carry out this Act, to remain available until expended.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentlewoman from Maryland (Mrs. MORELLA) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Maryland (Mrs. MORELLA).

GENERAL LEAVE

Mrs. MORELLA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2133.

The **SPEAKER** pro tempore. Is there objection to the request of the gentlewoman from Maryland?

There was no objection.

Mrs. MORELLA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 2133. It is important legislation introduced by the gentleman from Kansas (Mr. RYUN).

Mr. Speaker, May 17, 2004, will mark the 50th anniversary of the Supreme Court's landmark decision in Brown v. Board of Education in Topeka, Kansas. In recognition of the importance of that decision, this bill will establish the Brown v. Board of Education 50th Anniversary Commission to plan and coordinate the commemoration of that anniversary.

Mr. Speaker, of all the landmark decisions handed down by the Supreme Court, few are as well-known as Brown v. Board of Education, and few have been as important.

In Brown, a unanimous Supreme Court effectively ended the separate but equal doctrine in education, ruling that racially segregated schools violated the equal protection clause of the 14th amendment. Despite the court's ruling, dual school systems were not abolished quickly or smoothly, but in the end, Mr. Speaker, they were abolished, further buttressing our Constitution's promise of equality under the law.

In order to commemorate the 50th anniversary of the Brown decision, the Commission shall hold public education activities and initiatives, including public lectures, writing contests and public awareness campaigns. The Commission will be comprised of representatives from the judicial branch, the Department of Education, the NAACP Legal Defense and Education Fund, and the Brown Foundation, as well as individuals from States in which the cases leading to the Brown decision were filed and the District of Columbia. These States were, incidentally, Delaware, Kansas, South Carolina, and Virginia. There will also be representatives from Massachusetts in recognition that the first legal challenge to segregated schools was filed there in 1849.

The Commission will terminate when its work is done, but not later than February 5, 2005.

Mr. Speaker, the Court's opinion in Brown v. Board of Education has touched the lives of all of us, and I urge all Members to support this important legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I rise in support of this resolution, and I yield 3 minutes to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Speaker, I thank the gentleman for yielding me this time.

Today, Mr. Speaker, I rise in support of H.R. 2133 to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the life-changing Supreme Court decision of Brown v. Board of Education.

In Brown v. Board of Education, the Supreme Court Justices called for racial integration of public schools. Public schools were, with struggle, desegregated and, subsequently, African American youth made enormous progress in various areas, such as high school completion, better test scores, greater college enrollment and obtaining college degrees.

As a result of this important decision, African Americans greatly increased our numbers in many occupational fields which, before Brown, had a scarcity of African Americans.

This monumental decision led to gains in equal education opportunities for minority children that were not provided for nor even considered under the Plessy v. Ferguson decision. This cemented African American community leaders' actions against the tragedy of segregation in America's schools.

Chief Justice Warren delivered the Court's opinion on May 17, 1954, stating that "segregated schools are not equal and cannot be made equal, and, hence, they are deprived of the equal protection of the laws." Originally taught using dull strategies and rote learning tools, minority students are now able to gain the tools necessary for future success in college and in the workplace.

While African American educational attainment has improved, the amount of education needed to have a real chance in life has grown even more. Yes, Brown v. Board of Education altered the economic, political and social structure of this great Nation and helped change the face of America. It is for this reason that I strongly urge my colleagues to vote in favor of this very important resolution commemorating this significant decision.

However, I also urge my colleagues to remain committed to the principles of equality in education. As we consider our budget and legislative measures that focus on education, we must be ever mindful of the critical importance of ensuring that all of this Nation's youth be well prepared to face the challenges and become productive members of this great society.

As we reflect on *Brown v. Board of Education*, let us remember that a priority focus on education is key, but equity and parity in education is critical.

Mrs. MORELLA. Mr. Speaker, it is my pleasure to yield 7 minutes to the gentleman from Kansas (Mr. RYUN), the introducer of this very important resolution.

Mr. RYUN of Kansas. Mr. Speaker, today we speak of "no child left behind" in our education system, and providing our children with the highest quality education is a value that we all hold very dear. Unfortunately, for years African American children remained in substandard facilities without updated textbooks and insufficient supplies. These children were denied admission to all-white schools based on the "separate but equal" doctrine entrenched in public education.

Fortunately, the landmark Supreme Court decision of *Oliver L. Brown v. Board of Education of Topeka* would forever change this inequity. On May 17, 1954, the U.S. Supreme Court issued a definitive interpretation of the 14th amendment that would unequivocally change the landscape of American public education. The High Court stated that the discriminatory nature of racial segregation violates the 14th amendment to the U.S. Constitution, which guarantees all citizens equal protection of the laws. This decision effectively ended the long-held "separate but equal" doctrine in U.S. education.

Prior to the *Brown v. Board of Education* decision, numerous school integration cases were taken to courts between 1849 and 1949. In Kansas alone there were 11 cases filed between 1881 and 1949. In response to these unsuccessful attempts to ensure equal opportunities for all children, African American community leaders and organizations across the country stepped up their efforts to change the education system. In the 1940s and 1950s, local NAACP leaders spearheaded plans to end the doctrine of "separate but equal." Public schools became the means to that end.

In the fall of 1950, members of the Topeka, Kansas, chapter of the NAACP agreed to again challenge the "separate but equal" doctrine governing public schools. Their plan involved enlisting the support of fellow NAACP members, personal family and friends as plaintiffs in what would be a class action suit filed against the Board of Education of Topeka Public Schools. A group of 13 parents agreed to participate on behalf of their children. Each plaintiff was to watch the paper for enrollment dates and take their child to the school that was nearest to their home. Once the attempt to enroll was denied, they were to report back to the NAACP. This would provide the attorneys with the documentation necessary to file a lawsuit against the Topeka school board.

As we all know, 4 years later, on May 17, 1954, Topeka parents and children received a final victory before the U.S. Supreme Court.

Brown v. Board of Education inspired and galvanized human rights struggles in this country and around the world. The national importance of the *Brown* decision had a profound impact on American culture. It has affected families and communities and governments by outlawing racial segregation. Legal scholars and historians agree that this case is among the three most significant judiciary turning points in the development of our country, yet it is largely misunderstood.

For example, many students never learned that the *Brown v. Board of Education* was a combination of cases originally filed in Delaware, South Carolina, Virginia, the District of Columbia, in addition to Kansas, and that the final legal challenge occurred in Massachusetts. None of these original cases succeeded in the district court, and all were appealed to the U.S. Supreme Court. At this juncture, they were combined and became known jointly as the *Oliver L. Brown, et al., v. The Board of Education of Topeka Kansas, et al.* The High Court decided to combine the cases because each sought the same relief from segregated schools for African Americans.

We should also remember that Thurgood Marshall served as a legal strategist and counsel for the school segregation cases. Marshall later became the first African American to serve on the U.S. Supreme Court.

Brown v. Board of Education is undoubtedly the most revolutionary case striking down segregation, and as we approach the 50th anniversary of *Brown v. The Board* on May 17, 2004, it is only fitting that we commemorate this decision by ensuring that our Nation fully understands the case and the responding effects that it has had on our Nation.

Mr. Speaker, H.R. 2133 will establish a commission to help education Americans on the history and ramifications of this landmark cases in preparation for the 50th anniversary of the *Brown* decision.

The Commission will work in conjunction with the Department of Education to disseminate print resources to schools, plan and coordinate public education events, including public lectures, writing contests and public awareness campaigns.

Working in cooperation with both the public and private sector, the Commission will be comprised of representatives from the Committee on the Judiciary, the Department of Education, as well as the NAACP Legal Defense and Education Fund, and the *Brown* Foundation. In addition, individuals chosen from the States in which the lawsuits were originally filed, which were Delaware, Kansas, South Carolina, Virginia, and the District of Columbia, and from the first State that had the first legal challenge, Massachusetts, will also serve on this Commission.

Equal opportunity is granted by our Constitution, but making equality a

reality for all Americans requires real struggle and sacrifice. We must not forget the sacrifices made in order to give equality to all Americans.

The U.S. Supreme Court offered us this reflection in the opinion rendered in the *Brown* case, and I quote: "It is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity for an education." Education is the metal that holds the framework of our democratic society together. *Brown v. Board of Education* guarantees this opportunity.

Mr. Speaker, I ask my colleague to join me in honoring this historic and far-reaching Supreme Court decision and support H.R. 2133.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, let me commend and congratulate the gentleman from Kansas for introducing this very important bill. As a matter of fact, I rise in support of this legislation to establish the *Brown v. Board of Education* 50th Anniversary Commission.

The Commission, in conjunction with the Department of Education, is charged with planning and coordinating public education activities and initiatives, writing contests and public awareness campaigns. In cooperation with the *Brown* Foundation for Educational Equity, Excellence and Research, the Commission must submit recommendations to Congress to encourage, plan, develop observances of the anniversary of the *Brown* decision.

The 50th anniversary of the *Brown* decision will take place on May 17, 2004. This Commission is going to need every second of the next 3 years to commemorate the *Brown* decision in a meaningful way.

Brown v. Board of Education is to be commemorated for what it did to address the disparities in the American education system 47 years ago, and to help us address the disparities that we struggle with today. Like in the 1930s and 1950s, the best hope for racial, social and economic equality lay in education. That is why in 1951, *Oliver Brown* and the parents of 12 other black children filed a lawsuit against the Topeka Board of Education protesting the city's segregation of black and white students.

□ 1215

That is also why, Mr. Speaker, today parents all across America, particularly parents of children of color, are demanding that elected officials improve the American educational system.

In 1997, 93 percent of whites aged 25 to 29 had attained a high school diploma or equivalency degree compared to 87 percent of African Americans and just 62 percent of Hispanics.

Among those with high school degrees, 35 percent of whites had completed a bachelor's degree or higher, compared to just 16 percent of African Americans and 18 percent of Hispanics.

Given the increasing importance of skill in our labor market, these gaps in educational attainment translate into large differences by race and ethnicity in eventual labor market outcomes, such as wages and employment.

American schools are integrated, but they still are not equal. They are not equal because we still do not understand in many places what it takes to make schools effective.

How do we prepare all of our children to meet the challenges of tomorrow? For some people, charter and private schools are the answer. For others, it is school vouchers and class size reduction. One thing is for sure, if we do not break down the disparities in the educational system, the cycle of poverty will continue among children who attend poor and inner-city schools. A good, solid public education system is basic for all Americans.

The historic Brown v. Board of Education was announced on May 7, 1954 by Chief Justice Warren. Justice Warren's words are timeless. He stressed the fact that public education was a right which must be made available to all on equal terms.

I trust that the commission will remember these words when planning for observances of the 50th anniversary of the Brown decision. And even as we discuss this resolution today and prepare for its passage, there is still not equal funding for school districts even in my own State, the land of Lincoln, the State of Illinois, where some school districts receive as much as three times the funding of other districts; and if that is not separate but equal, unequal, then I do not know how to define it.

Mr. Speaker, I hope that we all will remember this as we seek to improve the American educational system. I urge all of my colleagues to join in supporting this resolution.

Mr. Speaker, I reserve the balance of my time.

Mrs. MORELLA. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, I thank the gentlewoman from Maryland (Mrs. MORELLA) for yielding me the time.

Mr. Speaker, I rise today in strong support of H.R. 2133. We are soon coming upon the anniversary of the landmark Supreme Court decision. On May 17, 1954, the United States Supreme Court eradicated the separate but equal doctrine and integrated our public school system.

Most Americans have heard about Brown v. Board of Education trial, but few completely understand this very important case.

I commend the gentlewoman from Maryland (Mrs. MORELLA) and the gentleman from Kansas (Mr. RYUN) for introducing this legislation to establish a commission to help educate Americans on the history and ramifications of Brown v. Board of Education in preparation for the 50th anniversary of this case.

Education is, perhaps, the most important tool for fulfilling one's dreams. The American dream, the wonderful belief that any child in America, any child, regardless of color or economic background, has the ability to make his dream a reality. In order to help children, our children, in the pursuits of their dreams, we need to make sure they have a good education.

Last month, we showed our commitment to this goal by voting on an education plan to Leave No Child Behind. Unfortunately, in 1954, African Americans were denied the chance to have equal access to our public school system.

Their parents, realizing the importance of education, did everything possible they could to properly educate their children while at the same time fighting the segregated system.

They also realized that beyond the 3 R's, it was important for all children to learn respect for all people.

The Brown decision was more than just an end to the practice of segregation in our schools; it was also a wonderful beginning. The beginning of a public school system that could more accurately reflect the belief that all men and women are created equal and should be treated as such.

Integrated schools are beneficial to all students and the Nation as a whole. For this reason, we should make sure that Brown v. Board of Education case is properly taught and understood.

I share the belief of the gentleman from Kansas (Mr. RYUN) that for the 50th anniversary of this landmark case we should help make history come alive for our Nation's school children. In doing so, we can help the newest generation of Americans realize the importance of liberty and democracy.

Mr. DAVIS of Illinois. Mr. Speaker, I yield 3 minutes to the dynamic gentleman from Lenexa, Kansas (Mr. MOORE).

Mr. MOORE. Mr. Speaker, I thank the gentleman from Illinois (Mr. DAVIS) for yielding me the time.

Mr. Speaker, I rise today to speak in strong support of a very important piece of legislation, H.R. 2133. On May 17, 1954, in the case of Brown v. Topeka Board of Education, the United States Supreme Court unanimously declared that separate educational facilities are inherently unequal and, as such, violate the 14th amendment to our United States Constitution, a Constitution which guarantees to all citizens equal protection of the laws.

This was a critical point in time, because it began an era of social responsibility, equity, and justice that this country had not seen since the end of the Civil War.

The legacy of the Brown decision is its impact on the whole of American society and its contribution to the civil rights movement. When you think of the civil rights movement, the 1954 Brown decision is clearly a watershed. Would we have had a Rosa Parks in 1955 without a Reverend Oliver L.

Brown fighting for equal education in Topeka, Kansas in 1951. Maybe, but without the definitive court ruling of what was right, what was constitutional, we would not have desegregation in Little Rock, Arkansas.

The Brown decision sliced the issue of inequality wide open, putting it in the morning newspaper and on the evening news. Brown is important for four very basic reasons.

Number one, it was the beginning of the end of racial segregation authorized by law in this country.

Number two, it overturned laws permitting segregated public schools in Kansas and 20 other States.

Number three, it overturned a previous United States Supreme Court decision of 1896, Plessy v. Ferguson. The Plessy decision gave us the infamous doctrine of separate but equal, a legal fiction as we know now.

It defended the sovereign power of the people of the United States to protect their natural rights and their human rights from random restrictions and limits imposed by State and local governments.

These rights are recognized in the Declaration of Independence and guaranteed by the Constitution of the United States. Using the Brown decision as an educational vehicle will teach children and communities alike to respect and honor those who fight for what is right. Creating a commission to commemorate the 50th anniversary of the Brown decision will also make sure that an important event in United States history does not become just a simple footnote.

I would like to thank Cheryl Brown Henderson, the daughter of Reverend Oliver L. Brown, for what she has done in creating the Brown Foundation and what she continues to do in helping her representatives in Kansas draft this bill. It is through people like her and her father, and I would add our colleague here in Congress, the gentleman from Georgia (Mr. LEWIS), that the civil rights movement blossomed.

Mr. Speaker, I would also like to thank my esteemed colleague, the gentleman from Kansas (Mr. RYUN), for his hard work in promoting this legislation.

Mrs. MORELLA. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. Mr. Speaker, I thank the gentlewoman from Maryland (Mrs. MORELLA) for yielding me the time.

Mr. Speaker, I rise today in support of this legislation that would establish a commission to recognize the 50th anniversary of Brown v. Topeka Board of Education. As we approach this 50th anniversary, which will occur on May 17 of 2004, it is appropriate that Congress demonstrate its concern for the rights of all Americans through the establishment of a Federal commission to encourage and provide for the commemoration of this historic ruling.

It is also appropriate today to recognize one of the leaders of the educational effort that has stemmed from

the Brown case. I would like to acknowledge the dedication and hard work of Cheryl Brown Henderson, a Kansan, who brought to my attention the national importance of this 50th anniversary of the court decision.

Ms. Henderson has been mentioned as the daughter of Oliver L. Brown, the lead plaintiff in this case; and I commend her for her dedication. I commend her father for his courage. Her commitment to human rights has led to her travels across America sharing the lessons of this and other landmark civil rights cases.

My own interest in this historic case began as a student at the University of Kansas. One of my professors, Paul Wilson, was the junior Kansas assistant attorney general assigned to defend Topeka Board of Education. Largely through happenstance, Wilson wound up arguing before the Supreme Court in one of his first cases as an attorney.

Each spring for many years, Professor Wilson spoke at a noon forum on his involvement in *Brown v. Topeka Board of Education*. Each year, the talk grew more and more popular, attracting an ever larger crowd of students. The stories he told about that experience were fascinating stories of buying his first suit to a trip to Washington, D.C., riding a train for his first time outside the State of Kansas, filling out the paperwork to be admitted to the Supreme Court so he could make his arguments, and how inspiring it felt to watch Thurgood Marshall passionately, yet logically, argue the case, even when Wilson himself was on the other side.

Besides preserving his memories of the facts of the Brown case in his classroom speeches, Professor Wilson had a unique perspective to analyze the issues and the impact of that case. Professor Wilson later wrote a book entitled *A Time to Lose* about his recollections of those times and the politics of that era. In his memoirs, Wilson offers some lessons about the evolution of race relations since that ruling.

Wilson states, quote, "this was the first time segregation was publicly acknowledged as a wrong practice. The decision issued in 1954 caused me, Professor Wilson, and caused America to realize that to argue the policy of separate but equal was to defend the indefensible."

In the Brown case, the Supreme Court was asked to decide one of the important issues facing our country. It was being asked to reverse a trend of law, because up to that point legal decisions had supported the separate but equal policy. Not until Brown were the traditional notions of segregation challenged in a shift toward the public recognition of human equality and the fundamental worth of every person.

The Supreme Court ruling made a monumental impact on human rights struggles worldwide. The laws and policies struck down by this ruling were the products of prejudice and discrimination. Ending the legal practice of

these behaviors caused social and ideological implications we continue to feel in our country today.

We are fast approaching the watershed of 2004. This commission could impact how people learn about the case and would carry the decision's message into the 21st century.

Mr. Speaker, I urge its passage.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let us remember what the *Brown v. Board of Education* decision was all about. It was all about blacks exercising their citizenship and rights as a people, one Nation under God. Given our dark history concerning slavery and the citizenship rights of blacks and others in this country, we remember the *Dred Scott* decision. The question in the *Dred Scott v. Sanford* case where a black slave from Missouri claimed his freedom on the basis of 7 years of residency in a free State.

On March 6, 1857, nine justices filed in the basement of the U.S. Capitol, led by Chief Justice Taney, and they asked the question then, "can a negro, whose ancestors were imported into this country, and sold as slaves, become a member of the political community formed and brought into existence by the Constitution of the United States, and as such become entitled to all the rights, privileges and immunities guaranteed by that instrument to the citizen?"

The Supreme Court decision then did not serve justice to *Dred Scott*.

Thirty-nine years later, the answer to this question became much more resounding in the Supreme Court case of *Plessy v. Ferguson* as a sad chapter in the pages of history. In this landmark decision of 1896, the court found that the doctrine of separate but equal concerning segregation of public facilities did not violate the Constitution. Separate schools for whites and blacks became a basic rule in southern society, legitimized in this doctrine that legalized segregation known as "Jim Crow." For years, this decision affected many black boys and girls and kept them from achieving an equitable education that was entitled to them under the Constitution of the United States.

In the midwest town of Topeka, Kansas, a little girl named Linda Brown had to ride the bus five miles to school each day, although a public school was located only four blocks from her house.

□ 1230

The school was not full, and the little girl met all the requirements to attend, all but one that is. Linda Brown was black, and blacks were not allowed to go to white children's schools.

In an attempt to gain equal educational opportunities for their children, 13 parents with the aid of the local chapter of the NAACP filed a class action suit against the Board of Education of Topeka Schools.

Prior to becoming our first African American Justice of the Supreme Court of the United States, Thurgood Marshall presented a legal argument that resulted in the 1954 Supreme Court decision that separate but equal was unconstitutional because it violated the children's 14th amendment rights by separating them solely on the classification of the color of their skin. This ruling in favor of integration was one of the most significant strides America has taken in favor of civil rights.

So we come today, Mr. Speaker, in support of a resolution to commemorate that day and to commemorate that time and to commemorate the exciting events that took place then as we look forward to events taking place even now.

So I would urge all of my colleagues to join in support of this resolution.

Mr. Speaker, I reserve the balance of my time.

Mrs. MORELLA. Mr. Speaker, I associate myself with the remarks of the gentleman from Illinois (Mr. DAVIS).

Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. FORBES), our newest Representative over here on this side.

Mr. FORBES. Mr. Speaker, it is an honor and privilege to speak for the first time as a Member of the House of Representatives on an issue of great importance to me and my constituents, a quality public education available to all that leaves no child behind.

The legislation before us today prepares for the commemoration of the historic 1954 Supreme Court decision *Brown v. Board of Education*. It establishes and funds a commission that will plan and coordinate activities for the 50th anniversary of the case just 3 years away.

Mr. Speaker, children should not have an inferior education because of the color of their skin. But before the Brown decision, textbooks, classrooms and buildings were second-class for black students as compared to the rest of our Nation. This was wrong.

In May 1954, the Supreme Court sided with citizens in Topeka, Kansas, and said that it is not lawful to separate school children because of their race. When the Topeka case made its way to the United States Supreme Court, it was combined with the other cases from Delaware, South Carolina, Washington, D.C., and my home, the Commonwealth of Virginia. This comprehensive case became known as *Oliver L. Brown, et al., v. Board of Education of Topeka*.

I thank the gentleman from Kansas (Mr. RYUN) for his leadership on this bill as well as the entire Kansas delegation. Let us work tirelessly to strengthen the educational system in our country through ideas and technology with accountability, proper funding, and reform.

From the finest towns in America to the worst neighborhoods in our inner cities, we must never lose sight of the

unconditional commitment to our children. We must never forget that barriers were broken and hurdles were overcome to get to where we are now.

Education is first, last, and always about our children. They need and deserve an equal opportunity to excel, to achieve and be the best they can be. *Brown v. Board of Education* opened the doors for all of our children to learn on a level playing field. We should be thankful, remember our past, learn from our history, and plan for our future.

I thank the gentlewoman from Maryland (Mrs. MORELLA) for yielding me this time. I urge passage of the legislation.

Mr. DAVIS of Illinois. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. FOSSELLA). The gentleman from Illinois (Mr. DAVIS) has 5 minutes remaining.

Mr. DAVIS of Illinois. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman very much for yielding me this time. I thank the gentlewoman from Maryland (Mrs. MORELLA) for her leadership. I thank the members of the committee and the gentleman from Illinois (Mr. DAVIS), the ranking member, and I thank the authors and cosponsors of this legislation.

This legislation resulted in a different education for many of us who stand on the floor of the House today. To acknowledge and to organize a commission to celebrate the 50th anniversary of the Supreme Court decision in *Brown v. Board of Education* reminds us of those heroes like Thurgood Marshall and Constance Baker Motley and others who pursued the rights of children to be educated fairly and justly in the courts of the United States. How different our education and our lives would have been had we not had the opportunity to fight against segregated and unequal schools.

The process that was designed in the 1800s that, in fact, you could be educated unequally was finally eliminated by this case to ensure that we would have an equal education. It is our challenge to keep the spirit of this Supreme Court decision alive. It is our challenge to ensure that school districts are not unequally funded and that there is not inequity in the Federal funding that goes to help public schools. It is our challenge to ensure that public schools are at their very best, and that those children who sit in our public schools today, those who are special needs children, those who are at-risk children, can experience the kind of education that Thurgood Marshall intended, and that was, of course, that we take away the unequalness of education and promote equality.

Secondly, I would say that, over the years, we have had an attack on affirmative action. That is affirmatively reaching out to help education and to help promote equality.

The *Brown v. Board of Education* was a symbol of fighting for equality and affirmatively seeking to create an opportunity for children to be educated together. I think our message now is to thank those who organized and well knew that they had to fight for justice, to thank those youngsters prepared to be the plaintiffs in the case, and to thank those lawyers.

This Commission will be a commission that will be well-respected, giving us the structure and the ability to honor those and celebrate the 50th anniversary of this enormous decision that changed the lives of so many of us as well as changed the life and the values of the American society to believe truly in the equality of education.

Mrs. MORELLA. Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise today to lend my support to H.R. 2133. This legislation commemorates through the establishment of a commission the 50th anniversary of the *Brown v. Board of Education* Supreme Court decision, which sparked the end of school segregation based on race in this country.

It goes without saying that school segregation and desegregation were among America's most controversial social issues during the last half of the 20th century. Along with many Americans, I can clearly recall scenes of violence and upheaval that took place in the 1950s, 1960s and 1970s in places as diverse as Boston and Little Rock as our Nation's public schools made the transition to integration.

We have much to be thankful for as a result of the Supreme Court's decision some 50 years ago. Today our children and our children's children find themselves interacting daily in the school setting with other boys and girls of different colors and backgrounds, broadening their perspectives and expanding their horizons in ways that were not experienced by previous generations.

Today we no longer see the blatant and blanket denial of educational opportunities to children based solely on the color of their skin. As a result of the *Brown* decision, we as a society no longer accept the flawed doctrine outlined in the earlier case of *Plessy v. Ferguson* that separate meant equal.

These are all things that should be rightly celebrated and commemorated, but before we go patting ourselves on the back while claiming that education segregation is dead, we may first want to take a closer look at our public schools. What we will find is that, while race is no longer the basis for segregation in some States, homelessness is the basis for segregation. Some 47 years after the historic *Brown v. Board of Education* ruling, Congress may inadvertently be endorsing de facto segregation of homeless children.

Mr. Speaker H.R. 1, passed in May by this body, contains a grandfather clause permitting school districts that

currently receive Federal dollars that segregate homeless children in separate schools or classrooms may continue to do so. This is contrary to what the Federal law currently says. It is also contrary to the spirit of *Brown v. Board of Education* that we commemorate today.

I am hopeful that this body will reconsider this provision in conference before we send it to the President for his signature. Now, that would be a fitting tribute to the decision made by the U.S. Supreme Court on May 17, 1954.

Mr. Speaker, I congratulate the gentleman from Kansas (Mr. RYUN) on this legislation, and I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I would like to associate myself with the remarks made by the gentlewoman from Illinois (Mrs. BIGGERT) regarding homelessness and homeless children and where they fit in the school systems that we have to today.

Mr. Speaker, I yield the balance of my time to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, first of all, I would like to commend my colleagues, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from Maryland (Mrs. MORELLA) for their work on this particular piece of legislation.

Mr. Speaker, I rise today in support of this bill which would establish a commission to commemorate the 1954 *Brown v. Board of Education* decision. Back on May 17, 1954, the Supreme Court unanimously declared that separate educational facilities are inherently unequal and, therefore, violate the 14th amendment to the United States Constitution.

Back on May 17, 1954, I was 5 years old, attending the Cleveland Public Schools, which, at that time, was one of the best public school systems in the Nation. I rise in support of this Commission and speak to the issue that, even though we have done a lot since *Brown v. Board of Education*, many of our school systems are still segregated. That school system that I loved and enjoyed as a child is now a predominantly African American school system; and the funding for schools, public schools is no longer as high or as good as it used to be back when I was in elementary school.

On May 8 in Cleveland, however, we worked and passed a \$3.7 million bond issue for school construction. It would raise \$335 million, which would be matched by \$500 million from the State of Ohio. They are greatly needed in the city of Cleveland, as I am confident they are needed across this country, to bring those crumbling public school systems and buildings back to the level that we wish that all of our children would enjoy in public schools.

I thank my colleagues for giving me the chance to commemorate *Brown v. Board of Education*.

Mrs. MORELLA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Court's opinion in *Brown v. Board of Education* has touched the lives of all of us. I urge all Members to support this legislation.

I just want to comment on the fact that my first teaching assignment in Maryland was during the early transitional years of integration in Poolesville, Maryland.

This year I delivered the high school commencement address at that same place, a caring community which has as its slogan, "Where everyone knows your name."

My thanks to the gentleman from Illinois (Mr. DAVIS) for handling the important resolution across the aisle. I also want to thank the gentleman from Indiana (Mr. BURTON), chairman of the Committee on Government Reform, the gentleman from Florida (Mr. SCARBOROUGH), Subcommittee on Civil Service chairman, the gentleman from California (Mr. WAXMAN), and the gentleman from Illinois (Mr. DAVIS), the ranking members respectively of the Committee on Government Reform and Oversight and Subcommittee on Civil Service, for expediting the consideration of this measure.

Again, I encourage all Members to support this resolution.

Mrs. MINK of Hawaii. Mr. Speaker, I rise in strong support for H.R. 2133, which establishes a commission to encourage and provide for the commemoration of the 50th anniversary of the Supreme Court decision in *Brown v. Board of Education of Topeka, Kansas*. This unanimous landmark decision marked the beginning of the end for de jure racial segregation in public facilities. On May 17, 1954, the Supreme Court declared that separate educational facilities are inherently unequal and, as such, violate the 14th amendment to the U.S. Constitution, which guarantees all citizens equal protection of the laws.

The *Brown v. Board of Education* 50th Anniversary Commission will work with the U.S. Department of Education to plan and coordinate public education activities and coordinate observances of the anniversary.

It is important that we revisit our history to see how far our nation has evolved. I am sure that it is hard for young people today to believe that only 50 years ago children were prohibited from attending certain public schools simply because of their race. The blatant racism behind the disingenuous claim of providing "separate but equal" facilities for African American children was recognized and repudiated by the Supreme Court.

The Supreme Court decision did not mean the end of segregation, however. Many states and localities continued to fight efforts to integrate the schools for many years. And today, economic inequalities mean that many of our schools remain effectively segregated. Nonetheless, *Brown v. Board of Education* was a major turning point in eliminating Jim Crow laws and practices that sought to marginalize and isolate minorities.

It is fitting that our nation begin preparations to commemorate this important anniversary in 2004. We need to look back at where we started, celebrate the progress we have made thus far, and rededicate ourselves to creating that more perfect union that will truly deliver on the promise of equal opportunity for all Americans.

Mr. WATTS of Oklahoma. Mr. Speaker, On May 17, 1954, in the landmark case aimed at ending segregation in public schools—*Brown* versus the Board of Education—the United States Supreme Court issued a unanimous decision that "separate educational facilities are inherently unequal", and as such, violate the 14th Amendment to the United States Constitution, which guarantees all citizens, "equal protection of the laws." This decision effectively denied the legal basis for segregation in Kansas and other states with segregated classrooms and would forever change race relations in the United States.

The United States Constitution guarantees liberty and equal opportunity to the people of the United States. Historically, however, these fundamental rights have not always been provided. America's educational system is one such example.

In the early beginnings of U.S. history, education was withheld from people of Africa descent. In some states it was against the law for African Americans to even learn to read and write. Later, throughout America's history, the educational system mandated separate schools for children based solely on race. In many instances, the schools for African American children were substandard facilities with out-of-date textbooks and insufficient supplies.

In an effort to ensure equal opportunities for all children, African American community leaders and organizations across the country utilized the court system in order to change the educational system. The *Brown* decision initiated educational reform throughout the United States and brought all Americans one step closer to attaining equal educational opportunities.

As the great abolitionist and orator Frederick Douglass once said, some people know the value of an education because they have one, but I know the value of an education because I did not have one. Therefore, we must continue working to make sure that all of America's children receive the very best education imaginable.

I urge all of my colleagues to join me today in supporting the establishment of a commission to encourage and provide for the commemoration of the 50th anniversary of the *Brown* versus Board of Education Supreme Court decision.

Mrs. MORELLA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Mrs. MORELLA) that the House suspend the rules and pass the bill, H.R. 2133, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mrs. MORELLA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1245

PROVIDING FOR CONSIDERATION OF H.R. 2311, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2002

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 180 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 180

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the Bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived except section 308. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

The SPEAKER pro tempore (Mr. FOSSELLA). The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), our newest member of the Committee on Rules, and I would welcome him to the floor for what I think is his first rule that he will be managing, and I appreciate his being here and working with us on this; pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 180 is an open rule and waives all points of order against consideration of the bill. It provides for 1 hour of general debate divided equally and controlled by the chairman and ranking minority member of the Committee on Appropriations.

It also provides that the amendment printed in the Committee on Rules report accompanying the rule shall be considered as adopted.

The rule waives points of orders against provisions in the bill as amended for failure to comply with clause 2 of rule XXI, which prohibits unauthorized or legislative provisions in an appropriations bill, except as specified in the rule.

The bill shall be considered for amendment by paragraph, and the Chair is authorized to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

Finally, the rule provides for one motion to recommit with or without instructions.

Mr. Speaker, the legislation before us is an open rule providing for the consideration of H. Res. 2311, the Energy and Water Development Appropriations Bill for 2002. This legislation provides for funding for a wide array of Federal Government programs which address matters such as national security, environmental cleanup, flood control, alternative energy sources, and advanced scientific research.

The bill provides for a total of \$23.7 billion in new discretionary spending authority for civil works projects of the Army Corps of Engineers and the Department of the Interior's Bureau of Reclamation, the Department of Energy, and several other independent agencies. The bill is \$147.7 million above the fiscal year 2001 funding levels and an increase of \$1.18 billion above the President's request.

Mr. Speaker, I would like to take a moment to highlight some provisions in this bill. Included in this legislation is approximately \$4.47 billion for the Army Corps of Engineers, which has been involved in such vital missions as flood control, shoreline prevention, and navigation.

In addition, the Bureau of Reclamation, under the Department of the Interior, is funded at \$842.9 million, an increase of \$26.3 million over last year. Most of the large dams and water diversions in the West were built or with the assistance of the Bureau of Reclamation. The Bureau is the largest supplier of water in the 17 western States and the second largest hydroelectric power producer in the Nation.

Also, this bill provides \$18.7 billion for the Department of Energy, an increase of \$444.2 million above the fiscal year 2001 level. Funding for the Department of Energy was increased over the President's request primarily in the areas of renewable energy technologies, environmental cleanup, and nuclear nonproliferation.

In March of 2001 this year, the Bush administration issued an outline for this budget. In this it states that solar and renewable energy cannot replace fossil fuels in the near term but will be an important part of this Nation's long-term energy supply. I am pleased that this bill includes \$376.8 million for renewable energy programs, an increase of \$1 million from last year.

Additionally, biological and environmental research is funded at \$445.9 mil-

lion. I am particularly pleased that the funding in this bill continues the strong record of conservation and preservation by the Republican Congress.

Mr. Speaker, I would also like to commend the chairman of the Subcommittee on Energy and Water Development of the Committee on Appropriations, the gentleman from the First District of Alabama (Mr. CALLAHAN), and the Democrat ranking member, the gentleman from Indiana (Mr. VISCLOSKEY), for their hard work in bringing this bill to the floor. Their staffs have done a great job in the crafting of this bill.

Mr. Speaker, this bill is considered noncontroversial. This rule, like the underlying legislation, deserves strong bipartisan support.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank the gentleman from Texas for yielding me the time. It is a pleasure to serve on the Committee on Rules with my good friend and colleague, the gentleman from Texas (Mr. SESSIONS), and I thank him for welcoming me as the newest member of the Committee on Rules.

Mr. Speaker, I rise in support of the Energy and Water Appropriations bill for fiscal year 2002 and in support of the rule. I also would associate myself with the remarks made by the gentleman from Texas about the many particulars that are set forth in the bill that are meritorious, in my view, for the entire body.

I want to congratulate the chairman of the subcommittee, the gentleman from Alabama (Mr. CALLAHAN), and the ranking member, the gentleman from Indiana (Mr. VISCLOSKEY), for their work on this bill and for their recognition of the importance to the entire country of the necessary public works projects it funds.

I am especially pleased, from a parochial point of view, that this bill contains nearly \$20 million for the continued restoration of the Florida Everglades. Congress and the State of Florida made a historic agreement last year to save this international treasure, and I am thrilled that Congress continues its commitment through this bill.

Additionally, Mr. Speaker, this bill contains a number of significant projects important to my south Florida district, as well as those that are my colleagues that are in that area; and I would like to highlight a few of them for just a moment.

In my home of Broward County this bill funds beach erosion and renourishment projects to the tune of \$2.5 million. These funds are critical to protecting and enhancing Florida's pristine beaches and the businesses that thrive because of them.

In northeast Dade County this bill contains funding for a study of flood

patterns in the county and remediation of flooding that continually occurs in some of the poorest neighborhoods of this area.

Mr. Speaker, I am pleased that this bill contains projects that would greatly benefit the constituents of myself and those of my colleague, the gentleman from Florida (Mr. FOLEY), in Ft. Pierce, in St. Lucie County, and a number of projects that greatly improve conditions in Palm Beach County that are relevant to my other colleagues, the gentleman from Florida (Mr. SHAW), the gentleman from Florida (Mr. WEXLER), and the gentleman from Florida (Mr. FOLEY), as well as myself.

Mr. Speaker, this is a good bill; and the rule is fine as far as it goes. As the gentleman from Texas (Mr. SESSIONS) noted, the rule does allow for amendments to the dollar amounts contained in the committee-reported bill. The committee Republicans chose not to allow the gentlewoman from Nevada (Ms. BERKLEY) the right to offer an amendment relating to transportation of high-level nuclear waste. This is most unfortunate, in my view, as I believe the Berkley amendment would have made the bill better.

Also, Mr. Speaker, let me add my support for the amendment which will be offered by my friend and colleague, the gentleman from Florida (Mr. DAVIS), which will allow construction of the Gulf Stream pipeline to continue unabated.

Again, Mr. Speaker, I thank the chairman and ranking member for bringing an excellent bill to the House. This is a bipartisan bill that helps millions of Americans from coast to coast, and I urge passage of the bill and adoption of the rule.

Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. HASTINGS), a member of the Committee on Rules.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank my good friend and colleague on the Committee on Rules, the gentleman from Texas (Mr. SESSIONS), for yielding me this time; and I want to congratulate my friend, the newest member of the Committee on Rules, the gentleman from Florida (Mr. HASTINGS), on his first rule.

Mr. Speaker, I rise in strong support of this rule and this underlying legislation. I would like to begin by commending the chairman, the gentleman from Alabama (Mr. CALLAHAN), and the ranking member, the gentleman from Indiana (Mr. VISCLOSKEY), as well as the chairman of the full Committee on Appropriations, the gentleman from Florida (Mr. YOUNG), and the ranking member, the gentleman from Wisconsin (Mr. OBEY), on their leadership in

bringing this excellent piece of legislation to the floor. This is the first bill of the gentleman from Alabama as chairman of the Subcommittee on Energy and Water Development, and I commend him on his openness and his support. They have carefully balanced the priorities in a very tight budget year to ensure that the cleanup of former nuclear sites stays on schedule.

As chairman of the Nuclear Cleanup Caucus here in the House, I have been privileged to work closely with the committee this year to ensure that cleanup sites throughout the Nation continue their significant progress, ensuring that the legacy of World War II and the Cold War is cleaned up. While I have been supportive of the President's goal to cap the overall spending increase at 4 percent, I have to admit that I was deeply troubled by the administration's initial request on cleaning up the Nation's former nuclear weapons sites.

Earlier this year, the Committee on the Budget responded to that by including in the congressional budget resolution language directing up to an additional \$1 billion in the Environmental Management Account. I am pleased that the Committee on Appropriations has, in the past 2 weeks, included an additional \$880 million for cleanup in the supplemental and the legislation we will consider today. This will allow for the Federal Government to keep its legal and moral commitments to the communities that surround these sites.

The Department of Energy has negotiated innovative contracts that mirror commercial practices to transform the cleanup program and ensure that more dollars are spent on cleanup. These negotiated contracts ensure that the American taxpayer receives more cleanup dollars for less by requiring efficiencies to do more with less. Without this additional funding for the Environmental Management program, these aggressive contracts would have had to be re-negotiated, thus eliminating the benefits to the taxpayer.

This legislation will increase funding by nearly \$700 million over the administration's request. This will reverse the proposed reductions at the major sites throughout the country. Specifically at Hanford the additional dollars provided in this legislation will provide full funding for the construction of the Waste Treatment Project. This is the home of over 60 percent of the radioactive waste of this country; and yet it is the only facility, Hanford, that lacks a treatment capability. It is essential that this project be fully funded in fiscal year 2002 in order to ensure maximum benefit to the taxpayer and the safety of the Pacific Northwest.

Further, the legislation allows for the River Corridor Initiative to begin at the Richland Operations Office. This innovative approach will allow for the acceleration of cleanup along the River Corridor and will shrink the Hanford site from 560 square miles to 75 square miles by the year 2012.

□ 1300

This is an aggressive schedule which will save American taxpayers hundreds of millions of dollars over this time period.

Mr. Speaker, this legislation provides the first step to what I hope will be the full transformation of this project to a closure contract in fiscal year 2003. Further, the legislation will allow for continued efforts to remove spent nuclear fuel which has been standing 100 yards from the Columbia River for 25 years, and to move it away from the river into safe storage.

I would like to commend the gentleman from Alabama (Mr. CALLAHAN) and the gentleman from Florida (Mr. YOUNG) for their excellent work. I would also like to thank my colleagues on the Nuclear Cleanup Caucus, the contractors and the stakeholders that came together in a unified manner to ensure that these increases became a reality.

Mr. Speaker, I support the rule and the underlying legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, I congratulate the gentleman from Florida (Mr. HASTINGS), having been appointed to the prestigious and important Committee on Rules. Florida is proud of his service in the Congress, and we are proud that 3 of 13 Members who serve on the Committee on Rules are from Florida, two Republicans, the gentleman from Florida (Mr. GOSS) and the gentleman from Florida (Mr. DIAZ-BALART). And now the gentleman from Florida (Mr. HASTINGS) joins the Committee on Rules, and my great State is going to benefit by the gentleman's leadership.

Let me also commend this bill of the Subcommittee on Energy and Water. The gentleman from Florida (Mr. HASTINGS) clearly laid out some of the very important projects that are occurring in our mutual districts, such as Port St. Lucie, the inlet maintenance project, some shoreline protection that will occur throughout our counties; but I also want to call attention to an amendment that will be offered by one of our colleagues that will seek to reduce the Federal allocations towards beach renourishment. I believe that has been made in order. What that basically says is that we will reduce the Federal share of beach renourishment projects in places like Florida.

The gentleman from Florida (Mr. HASTINGS) and I clearly want to underscore the need for Federal involvement, and we also want to give a little education here, because some people assume that these beach renourishment projects are folly, that they are a waste of tax dollars, that they are something that the local jurisdictions should do, and we need not concern ourselves with these issues in Congress.

As the gentleman from Florida (Mr. HASTINGS) and I know, many of the

areas where the most severe beach erosion is occurring are just south of inlets that were designed and constructed by the Corps of Engineers for some commerce at times, and some were national security issues. So in Palm Beach County, for instance, at the south end of our inlet, we are constantly vigilant because of shoreline that is eroding because of that unnatural cut that occurred.

Mr. Speaker, therein lies the nexus by which we ask and continue to urge Congress to fund these shoreline protection agreements. They are vital to tourism. We are parochial in our approach, and we are concerned about tourism; but it has more to do with ecological factors, such as nesting turtles, reef renourishments. All of these are impacted by a degradation of our beaches.

Mr. Speaker, we stand opposing an amendment that will be offered later, although supporting the fine work in this bill. There are some phenomenal projects that I will call Members' attention to again, whether it is the Department of Energy or other related accounts, the President's initiative on energy conservation, or on strategically positioning ourselves to be more self-reliant on energy needs.

Mr. Speaker, the gentleman from Alabama (Mr. CALLAHAN) has done a masterful job of meeting not only the needs of 50 States, but also the concerns of Members.

Mr. Speaker, as a Member from the Florida delegation, I want to apologize to the gentleman from Alabama (Mr. CALLAHAN) because we were unaware during debate last week on a very contentious issue that the gentleman was out of the Capitol with the President attending some business with the President of the United States in Alabama. We would not have excluded him from debate, so we apologize for that slight. We meant no disrespect. As a delegation, we are absolutely opposed to the drilling question, but never would we have done it as an attempted embarrassment of the fine chairman and the fine job he has done.

Mr. Speaker, I want to commend the rule. I urge Members to support its adoption, the underlying bill; and again, I would ask my colleagues to pay special attention to an amendment that would cut the government's responsibility on shoreline protection and urge the defeat of that same amendment.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Florida (Mr. FOLEY) for his kind comments regarding my ascension to the Committee on Rules.

Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. UDALL).

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of the rule and in general support of the bill. I want to in particular touch on three issues briefly. I want to thank the committee, thank this House for continuing to fund the nuclear facilities closure projects across the country, but in particular the one in my district at Rocky Flats. Rocky Flats is close to the center of my congressional district. It is just a few miles from population centers that exceed 2 million people. This is a very important project to clean up and close this facility.

I also thank the committee for the inclusion in the bill of initial funding for a small flood control project in Arvada, Colorado. There has been an important partnership there along Van Bibber Creek, and these are important moneys that will begin to put this capital project in place.

Finally, I want to emphasize my support for the committee's work in increasing the levels of funding for DOE's renewable energy programs. Initially the administration slashed these important budget items by \$138 million, almost 36 percent, and I think this was shortsighted; but we have worked hard over the last 2 years to boost funding for these programs, and I want to acknowledge the gentleman from Tennessee (Mr. WAMP) on the Renewable Energy and Energy Efficiency Caucus for the good work the gentleman has done.

In general, Mr. Speaker, although no bill is perfect, this one is awful close, and I very much appreciate the opportunity to speak today in support of it.

Mr. HASTINGS of Florida. Mr. Speaker, I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, just as it is the first rule for the gentleman from Florida (Mr. HASTINGS) to manage in the Committee on Rules, we also like to thank staff who it is their last rule to be with us.

I would like to thank Gena Bernhardt for her 6 years on the Committee on Rules, and 9 years serving on the Hill, who will be leaving the Hill for opportunities down at the Department of Justice. She served as professional staff and legal counsel, and is a good friend of all of ours. It is a time to say hello; and a time to say good-bye.

Mr. Speaker, this is a fair and open rule supported by my colleagues, and I would ask my colleagues to support this rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, I object to the vote on the

ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, following this 15-minute vote on House Resolution 180, the Chair will reduce to 5 minutes the minimum time for electronic voting on the two motions to suspend the rules on which the Chair postponed further proceedings earlier today.

The vote was taken by electronic device, and there were—yeas 425, nays 1, not voting 7, as follows:

[Roll No. 196]

YEAS—425

Abercrombie	Costello	Green (TX)
Ackerman	Cox	Green (WI)
Aderholt	Coyne	Greenwood
Akin	Cramer	Grucci
Allen	Crane	Gutierrez
Andrews	Crenshaw	Gutknecht
Armey	Crowley	Hall (OH)
Baca	Cubin	Hall (TX)
Bachus	Culberson	Hansen
Baird	Cummings	Harman
Baker	Cunningham	Hart
Balducci	Davis (CA)	Hastings (FL)
Baldwin	Davis (FL)	Hastings (WA)
Ballenger	Davis (IL)	Hayes
Barcia	Davis, Jo Ann	Hayworth
Barr	Davis, Tom	Hefley
Barrett	Deal	Herger
Bartlett	DeFazio	Hill
Barton	DeGette	Hilleary
Bass	DeLauro	Hillhard
Becerra	DeLay	Hinojosa
Bentsen	DeMint	Hobson
Bereuter	Deutsch	Hoeffel
Berkley	Diaz-Balart	Hoekstra
Berman	Dicks	Holden
Berry	Dingell	Holt
Biggert	Doggett	Honda
Bilirakis	Dooley	Huoley
Bishop	Doolittle	Horn
Blagojevich	Doyle	Hostettler
Blumenauer	Dreier	Houghton
Blunt	Duncan	Hoyer
Boehlert	Dunn	Hulshof
Boehner	Edwards	Hunter
Bonilla	Ehlers	Hutchinson
Bonior	Ehrlich	Hyde
Bono	Emerson	Inlee
Borski	Engel	Isakson
Boswell	English	Israel
Boucher	Eshoo	Issa
Boyd	Etheridge	Istook
Brady (PA)	Evans	Jackson (IL)
Brady (TX)	Everett	Jackson-Lee
Brown (FL)	Farr	(TX)
Brown (OH)	Fattah	Jefferson
Brown (SC)	Ferguson	Jenkins
Bryant	Filner	John
Burr	Flake	Johnson (CT)
Buyer	Fletcher	Johnson (IL)
Callahan	Foley	Johnson, E. B.
Calvert	Forbes	Johnson, Sam
Camp	Ford	Jones (NC)
Cannon	Fossella	Jones (OH)
Cantor	Frank	Kanjorski
Capito	Frelinghuysen	Kaptur
Capps	Frost	Keller
Capuano	Gallegly	Kelly
Cardin	Ganske	Kennedy (MN)
Carson (IN)	Gekas	Kennedy (RI)
Carson (OK)	Gephardt	Kerns
Castle	Gibbons	Kildee
Chabot	Gilchrest	Kilpatrick
Chambliss	Gillmor	Kind (WI)
Clay	Gilman	King (NY)
Clayton	Gonzalez	Kingston
Clement	Goode	Kirk
Clyburn	Goodlatte	Kleczka
Coble	Gordon	Knollenberg
Collins	Goss	Kolbe
Combest	Graham	Kucinich
Condit	Granger	LaFalce
Conyers	Graves	LaHood
Cooksey		Lampson

Langevin	Ose	Simpson
Lantos	Otter	Skeen
Largent	Owens	Skelton
Larsen (WA)	Oxley	Slaughter
Larson (CT)	Pallone	Smith (MI)
Latham	Pascarell	Smith (NJ)
LaTourette	Pastor	Smith (TX)
Leach	Paul	Smith (WA)
Lee	Payne	Snyder
Levin	Pelosi	Solis
Lewis (CA)	Pence	Souder
Lewis (GA)	Peterson (MN)	Spence
Lewis (KY)	Peterson (PA)	Spratt
Linder	Petri	Stark
Lipinski	Phelps	Stearns
LoBiondo	Pickering	Stenholm
Lofgren	Pitts	Strickland
Lowey	Pomeroy	Stump
Lucas (KY)	Portman	Stupak
Lucas (OK)	Price (NC)	Sununu
Luther	Pryce (OH)	Sweeney
Maloney (CT)	Quinn	Tancred
Maloney (NY)	Radanovich	Tanner
Manzullo	Rahall	Tauscher
Markey	Ramstad	Tauzin
Mascara	Rangel	Taylor (MS)
Matheson	Regula	Taylor (NC)
Matsui	Rehberg	Terry
McCarthy (MO)	Reyes	Thomas
McCarthy (NY)	Reynolds	Thompson (CA)
McCollum	Riley	Thompson (MS)
McCrery	Rivers	Thornberry
McDermott	Rodriguez	Thurman
McGovern	Roemer	Tiahrt
McHugh	Rogers (KY)	Tiberi
McInnis	Rogers (MI)	Tierney
McIntyre	Rohrabacher	Toomey
McKeon	Ros-Lehtinen	Towns
McKinney	Ross	Traffant
McNulty	Rothman	Turner
Meehan	Roukema	Udall (CO)
Meeks (NY)	Roybal-Allard	Udall (NM)
Menendez	Royce	Upton
Mica	Rush	Velazquez
Millender-	Ryan (WI)	Visclosky
McDonald	Ryun (KS)	Vitter
Miller (FL)	Sabo	Walden
Miller, Gary	Sanchez	Walsh
Miller, George	Sanders	Wamp
Mink	Sandlin	Waters
Mollohan	Sawyer	Watkins (OK)
Moore	Saxton	Watson (CA)
Moran (KS)	Scarborough	Watt (NC)
Moran (VA)	Schaffer	Watts (OK)
Morella	Schakowsky	Waxman
Murtha	Schiff	Weiner
Myrick	Schrock	Weldon (FL)
Nadler	Scott	Weldon (PA)
Napolitano	Sensenbrenner	Weller
Neal	Serrano	Wexler
Nethercutt	Sessions	Whitfield
Ney	Shadegg	Wicker
Northup	Shaw	Wilson
Norwood	Shays	Wolf
Nussle	Sherman	Woolsey
Oberstar	Sherwood	Wynn
Obey	Shimkus	Young (AK)
Olver	Shows	Young (FL)
Ortiz	Shuster	
Osborne	Simmons	

NAYS—1

Thune
NOT VOTING—7

Burton	Platts	Wu
Hinchey	Pombo	
Meek (FL)	Putnam	

□ 1334

Mr. THUNE changed his vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid upon the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to clause 8 of rule XX, the Chair will now put the question on each motion to suspend the

rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

House Resolution 172, by the yeas and nays; and

H.R. 2133, by the yeas and nays.

Both of these will be 5-minute votes.

HONORING JOHN J. DOWNING, BRIAN FAHEY, AND HARRY FORD, WHO LOST THEIR LIVES IN DUTIES AS FIREFIGHTERS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 172.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 172, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 424, nays 0, not voting 9, as follows:

[Roll No. 197]

YEAS—424

Abercrombie	Capito	Edwards
Ackerman	Capps	Ehlers
Aderholt	Capuano	Ehrlich
Akin	Cardin	Emerson
Allen	Carson (IN)	Engel
Armey	Carson (OK)	English
Baca	Castle	Eshoo
Bachus	Chabot	Etheridge
Baird	Chambliss	Evans
Baker	Clay	Everett
Baldacci	Clayton	Farr
Baldwin	Clement	Fattah
Ballenger	Clyburn	Ferguson
Barcia	Coble	Filner
Barr	Collins	Flake
Barrett	Combest	Fletcher
Bartlett	Condit	Foley
Barton	Conyers	Forbes
Bass	Cooksey	Ford
Becerra	Costello	Fossella
Bentsen	Cox	Frank
Bereuter	Coyne	Frelinghuysen
Berkley	Cramer	Frost
Berman	Crane	Gallegly
Berry	Crenshaw	Ganske
Biggart	Crowley	Gekas
Bilirakis	Cubin	Gephardt
Bishop	Culberson	Gibbons
Blagojevich	Cummings	Gilchrest
Blumenauer	Cunningham	Gillmor
Blunt	Davis (CA)	Gilman
Boehlert	Davis (FL)	Gonzalez
Boehner	Davis (IL)	Goode
Bonilla	Davis, Jo Ann	Goodlatte
Bonior	Davis, Tom	Gordon
Bono	Deal	Goss
Borski	DeFazio	Graham
Boswell	DeGette	Granger
Boucher	Delahunt	Graves
Boyd	DeLauro	Green (TX)
Brady (PA)	DeLay	Green (WI)
Brady (TX)	DeMint	Greenwood
Brown (FL)	Deutsch	Grucci
Brown (OH)	Diaz-Balart	Gutierrez
Brown (SC)	Dicks	Gutknecht
Bryant	Dingell	Hall (OH)
Burr	Doggett	Hall (TX)
Buyer	Dooley	Hansen
Callahan	Doolittle	Harman
Calvert	Doyle	Hart
Camp	Dreier	Hastings (FL)
Cannon	Duncan	Hastings (WA)
Cantor	Dunn	Hayes

Hayworth	McCollum	Sawyer
Hefley	McCrery	Saxton
Herger	McDermott	Scarborough
Hill	McGovern	Schaffer
Hilleary	McHugh	Schakowsky
Hilliard	McInnis	Schiff
Hinches	McIntyre	Schrock
Hinojosa	McKeon	Scott
Hobson	McKinney	Sensenbrenner
Hoefel	McNulty	Serrano
Hoekstra	Meehan	Sessions
Holden	Meeks (NY)	Shadegg
Holt	Menendez	Shaw
Honda	Mica	Shays
Hooley	Millender-	Sherman
Horn	McDonald	Sherwood
Hostettler	Miller (FL)	Shimkus
Houghton	Miller, Gary	Shows
Hoyer	Miller, George	Shuster
Hulshof	Mink	Simmons
Hunter	Mollohan	Simpson
Hutchinson	Moore	Skeen
Hyde	Moran (KS)	Skelton
Inslee	Moran (VA)	Slaughter
Isakson	Morella	Smith (MI)
Israel	Murtha	Smith (NJ)
Issa	Myrick	Smith (TX)
Istook	Nadler	Smith (WA)
Jackson (IL)	Napolitano	Snyder
Jackson-Lee	Neal	Solis
(TX)	Nethercutt	Souder
Jefferson	Ney	Spence
Jenkins	Northup	Spratt
John	Norwood	Stark
Johnson (CT)	Nussle	Stearns
Johnson (IL)	Oberstar	Stenholm
Johnson, E. B.	Oliver	Strickland
Johnson, Sam	Ortiz	Stump
Jones (NC)	Osborne	Stupak
Jones (OH)	Ose	Sununu
Kanjorski	Otter	Sweeney
Keller	Owens	Tancredo
Kelly	Oxley	Tanner
Kennedy (MN)	Pallone	Tauscher
Kennedy (RI)	Pascarella	Tauzin
Kerns	Pastor	Taylor (MS)
Kildee	Paul	Taylor (NC)
Kilpatrick	Payne	Terry
Kind (WI)	Pelosi	Thomas
King (NY)	Pence	Thompson (CA)
Kingston	Peterson (MN)	Thompson (MS)
Kirk	Peterson (PA)	Thornberry
Kleczka	Petri	Thune
Knollenberg	Phelps	Thurman
Kolbe	Pickering	Tiahrt
Kucinich	Pitts	Tiberi
LaFalce	Pomeroy	Tierney
LaHood	Portman	Toomey
Lampson	Price (NC)	Towns
Langevin	Pryce (OH)	Trafficant
Lantos	Quinn	Turner
Largent	Radanovich	Udall (CO)
Larsen (WA)	Rahall	Udall (NM)
Larson (CT)	Ramstad	Upton
Latham	Rangel	Velazquez
LaTourette	Regula	Visclosky
Leach	Rehberg	Vitter
Lee	Reyes	Walsh
Levin	Reynolds	Wamp
Lewis (CA)	Riley	Waters
Lewis (GA)	Rivers	Watkins (OK)
Lewis (KY)	Rodriguez	Watson (CA)
Linder	Roemer	Watt (NC)
Lipinski	Rogers (KY)	Watts (OK)
LoBiondo	Rogers (MI)	Waxman
Lofgren	Rohrabacher	Weiner
Lowe	Ros-Lehtinen	Weldon (FL)
Lucas (KY)	Ross	Weldon (PA)
Lucas (OK)	Rothman	Weller
Luther	Roukema	Wexler
Maloney (CT)	Roybal-Allard	Whitfield
Maloney (NY)	Royce	Wicker
Manzullo	Rush	Wilson
Markey	Ryan (WI)	Wolf
Mascara	Ryun (KS)	Woolsey
Matheson	Sabo	Wynn
Matsui	Sanchez	Young (AK)
McCarthy (MO)	Sanders	Young (FL)
McCarthy (NY)	Sandlin	

NOT VOTING—9

Andrews	Meek (FL)	Pombo
Burton	Obey	Putnam
Kaptur	Platts	Wu

□ 1342

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

The motion to reconsider was laid upon the table.

BROWN v. BOARD OF EDUCATION 50TH ANNIVERSARY COMMISSION

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2133, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Mrs. MORELLA) that the House suspend the rules and pass the bill, H.R. 2133, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 2, not voting 17, as follows:

[Roll No. 198]

YEAS—414

Abercrombie	Clay	Forbes
Ackerman	Clayton	Ford
Aderholt	Clement	Fossella
Akin	Clyburn	Frelinghuysen
Armey	Coble	Frost
Baca	Collins	Gallegly
Bachus	Combest	Ganske
Baird	Condit	Gekas
Baker	Conyers	Gephardt
Baldacci	Cooksey	Gibbons
Baldwin	Costello	Gilchrest
Ballenger	Cox	Gillmor
Barcia	Coyne	Gilman
Barr	Cramer	Gonzalez
Barrett	Crane	Goode
Bartlett	Crenshaw	Goodlatte
Barton	Crowley	Gordon
Bass	Cubin	Goss
Becerra	Culberson	Graham
Bentsen	Cummings	Granger
Bereuter	Cunningham	Graves
Berkley	Davis (CA)	Green (TX)
Berman	Davis (FL)	Green (WI)
Berry	Davis (IL)	Greenwood
Biggart	Davis, Jo Ann	Grucci
Bilirakis	Davis, Tom	Gutierrez
Bishop	Deal	Gutknecht
Blagojevich	DeFazio	Hall (OH)
Blumenauer	DeGette	Hall (TX)
Blunt	Delahunt	Hansen
Boehlert	DeLauro	Harman
Boehner	DeLay	Hart
Bonilla	DeMint	Hastings (FL)
Bonior	Deutsch	Hastings (WA)
Bono	Diaz-Balart	Hayes
Borski	Dicks	Hayworth
Boucher	Dingell	Hefley
Boyd	Doggett	Herger
Brady (PA)	Dooley	Hill
Brady (TX)	Doyle	Hilleary
Brown (FL)	Dreier	Hilliard
Brown (OH)	Duncan	Hinches
Brown (SC)	Dunn	Hinojosa
Bryant	Edwards	Hobson
Burr	Ehlers	Hoefel
Buyer	Ehrlich	Hoekstra
Calvert	Emerson	Holden
Camp	Engel	Holt
Cannon	English	Honda
Cantor	Eshoo	Hooley
Capito	Etheridge	Horn
Capps	Evans	Hostettler
Capuano	Everett	Houghton
Cardin	Farr	Hoyer
Carson (IN)	Fattah	Hulshof
Carson (OK)	Ferguson	Hunter
Castle	Filner	Hutchinson
Chabot	Fletcher	Hyde
Chambliss	Foley	Inslee

Isakson	Miller (FL)	Sensenbrenner
Israel	Miller, Gary	Serrano
Issa	Miller, George	Sessions
Istook	Mink	Shadegg
Jackson (IL)	Mollohan	Shaw
Jackson-Lee	Moore	Shays
(TX)	Moran (KS)	Sherman
Jefferson	Moran (VA)	Shimkus
Jenkins	Morella	Shows
John	Murtha	Shuster
Johnson (CT)	Myrick	Simmons
Johnson (IL)	Nadler	Simpson
Johnson, E. B.	Napolitano	Skeen
Jones (NC)	Neal	Skelton
Jones (OH)	Nethercutt	Slaughter
Kanjorski	Ney	Smith (MI)
Kaptur	Northup	Smith (NJ)
Keller	Norwood	Smith (TX)
Kelly	Nussle	Smith (WA)
Kennedy (MN)	Oberstar	Snyder
Kennedy (RI)	Obey	Solis
Kerns	Olver	Souder
Kildee	Ortiz	Spence
Kilpatrick	Osborne	Spratt
Kind (WI)	Ose	Stark
King (NY)	Otter	Stearns
Kingston	Oxley	Stenholm
Kirk	Pallone	Strickland
Klecza	Pascarell	Stump
Knollenberg	Pastor	Stupak
Kolbe	Payne	Sununu
Kucinich	Pelosi	Sweeney
LaFalce	Pence	Tancredo
LaHood	Peterson (MN)	Tanner
Lampson	Peterson (PA)	Tauscher
Langevin	Petri	Tauzin
Lantos	Phelps	Taylor (MS)
Largent	Pickering	Taylor (NC)
Larsen (WA)	Pitts	Terry
Larson (CT)	Pomeroy	Thomas
Latham	Portman	Thompson (CA)
LaTourette	Price (NC)	Thompson (MS)
Leach	Pryce (OH)	Thornberry
Lee	Quinn	Thune
Levin	Radanovich	Thurman
Lewis (CA)	Rahall	Tiahrt
Lewis (GA)	Ramstad	Tiberi
Lewis (KY)	Rangel	Tierney
Linder	Regula	Toomey
Lipinski	Rehberg	Towns
LoBiondo	Reyes	Trafficant
Lofgren	Reynolds	Udall (CO)
Lowey	Riley	Udall (NM)
Lucas (KY)	Rivers	Upton
Lucas (OK)	Rodriguez	Velazquez
Luther	Roemer	Visclosky
Maloney (CT)	Rogers (KY)	Vitter
Maloney (NY)	Rogers (MI)	Walden
Manzullo	Rohrabacher	Walsh
Markey	Ros-Lehtinen	Wamp
Mascara	Ross	Waters
Matheson	Rothman	Watkins (OK)
McCarthy (MO)	Roukema	Watson (CA)
McCarthy (NY)	Roybal-Allard	Watt (NC)
McCollum	Royce	Watts (OK)
McCrery	Rush	Waxman
McDermott	Ryan (WI)	Weiner
McGovern	Ryun (KS)	Weldon (FL)
McHugh	Sabo	Weldon (PA)
McInnis	Sanchez	Weller
McIntyre	Sanders	Wexler
McKeon	Sandlin	Whitfield
McKinney	Sawyer	Wicker
McNulty	Saxton	Wilson
Meehan	Scarborough	Wolf
Meeks (NY)	Schaffer	Woolsey
Menendez	Schakowsky	Wynn
Mica	Schiff	Young (AK)
Millender-	Schrock	Young (FL)
McDonald	Scott	

NAYS—2

Flake

Paul

NOT VOTING—17

Allen	Frank	Pombo
Andrews	Johnson, Sam	Putnam
Boswell	Matsui	Sherwood
Burton	Meek (FL)	Turner
Callahan	Owens	Wu
Doolittle	Platts	

□ 1351

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON H.R. 2330, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. BONILLA, from the Committee on Appropriations, submitted a privileged report (Rept. No. 107-116) on the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for fiscal year 2002, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to clause 1 of rule XXI, all points of order are reserved.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2180

Mrs. BONO. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 2180.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

GENERAL LEAVE

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 2311, making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes, and that I may be permitted to include tabular and extraneous materials.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore. Pursuant to House Resolution 180 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2311.

□ 1352

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Alabama (Mr. CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKEY) each will control 30 minutes.

The Chair recognizes the gentleman from Alabama (Mr. CALLAHAN).

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is my privilege to bring before the body today the fiscal year 2002 appropriations bill for energy and water needs facing this country. We have tried desperately to work with all the Members on both sides of the aisle to bring before you today a fair bill, a bill that has addressed most of the concerns of the Members who have contacted us. Mr. Chairman, there have been extensive contacts with us. In our deliberations we have come forward with a bill that I think provides the administration with ample funds for energy and water and reclamation needs in this country.

The bill agrees with President Bush that we should constrain government growth. I am happy to report that this bill constrains government growth because it is only increased about a one-half of 1 percent over the FY year 2001 level of funding.

The total funding in H.R. 2311 is \$23.7 billion. This is \$147 million, as I said, less than one-half of 1 percent, more than fiscal year 2001, for energy and water development programs.

Title I of the bill provides funding for the civil works program of the Corps of Engineers. The Subcommittee on Energy and Water Development is unanimous in its belief that these programs are among the most valuable within the subcommittee's jurisdiction. The national benefits of projects for flood control, for navigation and shoreline protection substantially exceed project costs. The bill acknowledges the importance of water infrastructure by funding the civil works program at \$4.47 billion, an increase of only \$568 million over last year's appropriation.

Within the amount appropriated to the Corps of Engineers, \$163 million is for general investigations, \$1.67 billion is for the construction program, and \$1.86 billion is for operations and maintenance. In addition, the bill includes \$347 million for the flood control, Mississippi River and Tributaries project. The bill also funds the budget request for the regulatory program and the Formerly Utilized Sites Remedial Action Program.

In title II, which is for the Bureau of Reclamation, we spend \$842 million, an increase of only \$26 million over fiscal year 2001.

Title III provides \$18 billion for the Department of Energy, an increase of \$444 million over fiscal year 2001.

So in all three areas of jurisdiction the bill is within the suggested constraints that President Bush has submitted to us, whereby we control excessive government growth spending. We are very pleased to have done that.

We sought to maintain level funding for basic research in science programs;

and we provided \$3.17 billion, an increase of \$6.5 million over the budget request. Funding of \$276.3 million has been provided for construction of the Spallation Neutron Source, the same as the budget request. We have sought to respond to all of the needs, and we visited some of the projects throughout the country in trying to determine where our priorities ought to be.

I think if there is anything, Mr. Chairman, that pleases me, it is the way we have been able to work in a bi-

partisan fashion with the minority. We have been able to respond, as I said earlier, to most every legitimate need, we feel, that has been brought before us for our consideration. I am happy to have the support of so many Members of Congress in helping us draft this legislation.

Mr. Chairman, I owe a debt of gratitude to the hard work of the dedicated members of the Subcommittee on Energy and Water Development. They have labored under difficult con-

straints to produce a bill that is balanced and fair. I am especially grateful to the gentleman from Indiana (Mr. VISCLOSKY), our ranking minority member. It is in large part due to his efforts that we present a bill that merits the support of all Members of the House.

Mr. Chairman, I urge all Members to support H.R. 2311 as reported by the Committee on Appropriations.

Mr. Chairman, I include the following charts for the RECORD.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 2002 (H.R. 2311)
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF DEFENSE - CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers - Civil					
General investigations	160,584	130,000	163,260	+2,676	+33,260
Construction, general	1,716,165	1,324,000	1,671,854	-44,311	+347,854
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee	350,458	280,000	347,655	-2,803	+67,655
Operation and maintenance, general	1,897,775	1,745,000	1,864,464	-33,311	+119,464
Regulatory program	124,725	128,000	128,000	+3,275	.....
FUSRAP	139,692	140,000	140,000	+308	.....
General expenses	151,666	153,000	153,000	+1,334	.....
Total, title I, Department of Defense - Civil	4,541,065	3,900,000	4,468,233	-72,832	+568,233
TITLE II - DEPARTMENT OF THE INTERIOR					
Central Utah Project Completion Account					
Central Utah project construction	19,524	24,169	24,169	+4,645	.....
Fish, wildlife, and recreation mitigation and conservation	14,136	10,749	10,749	-3,387	.....
Utah reclamation mitigation and conservation account	4,889	.....	.....	-4,989	.....
Subtotal	38,649	34,918	34,918	-3,731	.....
Program oversight and administration	1,213	1,310	1,310	+97	.....
Total, Central Utah project completion account	39,862	36,228	36,228	-3,634	.....
Bureau of Reclamation					
Water and related resources	678,953	647,997	691,160	+12,207	+43,163
Loan program	9,348	7,495	7,495	-1,853	.....
(Limitation on direct loans)	(26,941)	(26,000)	(26,000)	(-941)	.....
Central Valley project restoration fund	38,360	55,039	55,039	+16,679	.....
California Bay-Delta restoration .....	.....	20,000	.....	.....	-20,000
Policy and administration	50,114	52,968	52,968	+2,854	.....
Total, Bureau of Reclamation	776,775	783,499	806,662	+29,887	+23,163
Total, title II, Department of the Interior	816,637	819,727	842,890	+26,253	+23,163
TITLE III - DEPARTMENT OF ENERGY					
Energy supply	659,918	544,245	639,317	-20,601	+95,072
Non-defense environmental management	277,200	228,553	227,872	-49,328	-681
Uranium facilities maintenance and remediation	392,502	363,425	393,425	+823	+30,000
Science	3,180,341	3,159,890	3,166,395	-13,946	+6,505
Nuclear Waste Disposal	190,654	134,979	133,000	-57,654	-1,979
Departmental administration	225,942	221,618	209,611	-16,331	-12,007
Miscellaneous revenues	-151,000	-137,810	-137,810	+13,190	.....
Net appropriation	74,942	83,808	71,801	-3,141	-12,007
Office of the Inspector General	31,430	31,430	32,430	+1,000	+1,000
Environmental restoration and waste management:					
Defense function	(6,108,864)	(5,740,783)	(6,410,625)	(-301,761)	(+669,842)
Non-defense function	(669,702)	(591,978)	(621,297)	(-48,405)	(+29,319)
Total	(6,778,566)	(6,332,761)	(7,031,922)	(+253,356)	(+699,161)
Atomic Energy Defense Activities					
National Nuclear Security Administration:					
Weapons activities	5,006,153	5,300,025	5,123,888	-117,735	-176,137
Defense nuclear nonproliferation	872,273	773,700	845,341	-26,932	+71,641
Naval reactors	688,645	688,045	688,045	-600	.....
Office of the Administrator	9,978	15,000	10,000	+22	-5,000
Subtotal, National Nuclear Security Administration	6,577,049	6,776,770	6,667,274	+90,225	-109,496
Defense environmental restoration and waste management	4,963,533	4,548,708	5,174,539	+211,006	+625,831
Defense facilities closure projects	1,080,331	1,050,538	1,092,878	+12,547	+42,340
Defense environmental management privatization	65,000	141,537	143,208	+78,208	+1,671
Subtotal, Defense environmental management	6,108,864	5,740,783	6,410,625	+301,761	+669,842
Other defense activities	582,466	527,614	487,464	-95,002	-40,150
Defense nuclear waste disposal	199,725	310,000	310,000	+110,275	.....
Total, Atomic Energy Defense Activities	13,468,104	13,355,167	13,875,363	+407,259	+520,196
Power Marketing Administrations					
Operation and maintenance, Southeastern Power Administration	3,891	4,891	4,891	+1,000	.....
Operation and maintenance, Southwestern Power Administration	28,038	28,038	28,038	.....	.....
Construction, rehabilitation, operation and maintenance, Western Area Power Administration	165,465	169,465	172,165	+6,700	+2,700
Falcon and Amistad operating and maintenance fund	2,663	2,663	2,663	.....	.....
Total, Power Marketing Administrations	200,057	205,057	207,757	+7,700	+2,700
Federal Energy Regulatory Commission					
Salaries and expenses	175,200	181,155	181,155	+5,955	.....
Revenues applied	-175,200	-181,155	-181,155	-5,955	.....

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 2002 (H.R. 2311)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Defense nuclear waste disposal (rescission)	-75,000			+75,000	
Defense environmental privatization (rescission)	-97,000			+97,000	
Total, title III, Department of Energy	18,303,148	18,106,554	18,747,360	+444,212	+640,806
TITLE IV - INDEPENDENT AGENCIES					
Appalachian Regional Commission	66,254	66,290	71,290	+5,036	+5,000
Defense Nuclear Facilities Safety Board	18,459	18,500	18,500	+41	
Delta Regional Authority	19,956	19,992		-19,956	-19,992
Denali Commission	29,934	29,939		-29,934	-29,939
Nuclear Regulatory Commission:					
Salaries and expenses	481,825	506,900	516,900	+35,075	+10,000
Revenues	-447,958	-463,248	-473,520	-25,562	-10,272
Subtotal	33,867	43,652	43,380	+9,513	-272
Office of Inspector General	5,500	6,180	6,180	+680	
Revenues	-5,390	-5,932	-5,933	-543	-1
Subtotal	110	248	247	+137	-1
Total	33,977	43,900	43,627	+9,650	-273
Nuclear Waste Technical Review Board	2,894	3,100	3,100	+206	
Total, title IV, Independent agencies	171,474	181,721	136,517	-34,957	-45,204
TITLE V - EMERGENCY SUPPLEMENTAL					
DEPARTMENT OF ENERGY					
Atomic Energy Defense Activities					
Cerro Grande fire activities (contingent emergency appropriations)	203,012			-203,012	
Appalachian Regional Commission (contingent emergency appropriations)	10,976			-10,976	
Total, title V, Emergency Supplemental	213,988			-213,988	
Grand total:					
New budget (obligational) authority	24,046,312	23,008,002	24,195,000	+148,688	+1,186,998
Appropriations	(24,004,324)	(23,008,002)	(24,195,000)	(+190,676)	(+1,186,998)
Contingent emergency appropriations	(213,988)			(-213,988)	
Rescissions	(-172,000)			(+172,000)	

Mr. Chairman, I reserve the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, I yield myself such time as may consume.

Mr. Chairman, I would encourage at the outset of my remarks all of the Members of the body to support the energy and water appropriation bill. I would also at the outset note that the long-standing Alabama and Indiana connection, as they call it, that was established many years ago by Mr. Beville from Alabama and Mr. Myers from Indiana, has now been reestablished on that particular subcommittee.

I want to very sincerely thank the gentleman from Alabama (Chairman CALLAHAN) for his leadership on the subcommittee. He has been a leader. He has been trusting of all of us on this subcommittee. He has been open, he has been fair, and he has been decisive. He has put together a very good work product in a bipartisan fashion, and I strongly support it.

I also do want to thank all of the members of the subcommittee, who have worked so hard also to put this legislation together.

Last, I want to especially thank those who have done the work, the staff: Bob Schmidt, Jeanne Wilson, Kevin Cook, Tracy LaTurner, Paul Tumminello; the personal staff of the gentleman from Alabama (Mr. CALLAHAN), Mike Sharp and Nancy Tippins; and our side of the aisle, David Killian, Richard Kaelin, and Jennifer Watkins, a former staffer. I do appreciate the work that the staff has done.

The President asked for \$1 billion worth of cuts for the programs represented by this legislation; and under the leadership of this subcommittee, those cuts have essentially been restored.

□ 1400

We are \$187 million over the current year level, that is less than a 1 percent increase, but this bill does meet critical demands faced in the infrastructure and energy arena by our Nation. I am particularly happy that as far as water infrastructure, there is a \$591 million plus-up in this bill, and some of the other attributes I would mention is the increase in environmental funding over the administration request. This funding increase is essential to achieving long-planned program milestones, assuring compliance with the law, and avoiding unnecessary stretch-outs that could simply lead to higher costs.

I am also very happy that in the non-proliferation accounts, we have increased the amount over the President's request by \$71 million, and the current bill now has \$774 million contained therein. I also think it is important for all of my colleagues to understand that the gentleman from Alabama (Mr. CALLAHAN) indicated during markup that he plans to conduct a hearing in July relative to this issue and all of the needs as far as our concern over the proliferation of weapons

of mass destruction and the materials thereto. I look forward to joining him to ensure that these critical programs get the scrutiny and the attention that they deserve, and I also wish to commend especially the gentleman from Texas (Mr. EDWARDS) for his leadership on this issue.

The bill also provides \$733 million for renewable energy resources, and that, again, is an increase of \$100 million over the administration's request.

This is a very good bill, but at the conclusion of my remarks, I would just make a couple of points about our underinvestment in infrastructure in this Nation. I do regret, through no fault of anyone on the subcommittee, that I believe we are still \$10 million short as far as the Army Corps of Engineers regulatory budget, as far as making sure that the Corps can efficiently and without delay proceed with their regulatory burden. I regret that we were not fully able to fund that account, but we have included it at the administration's request. Additionally, it should be understood that the Corps asked for \$6 billion because they felt that was, in fact, the national need.

As far as water, we have \$4.468 billion contained in the bill. At this rate, unfortunately, authorized projects by this Congress will increase, that have not been started, from \$38 billion this year to \$40 billion in the next fiscal year. We will see the Corps' backlog of critical maintenance increase from \$450 million this year to \$864 million next year. However, I would point out in the supplemental, the gentleman from Alabama (Mr. CALLAHAN) and the gentleman from Florida (Mr. YOUNG) did agree to plus up critical maintenance as far as dams under the Army Corps critical control by \$23.7 million last week. They certainly recognized the need.

The Corps last year in testimony before the subcommittee also indicated that to proceed as efficiently as possible and in as economical fashion as possible, they really needed about another \$700 million a year for those existing authorized projects that we are already providing funding for, and, clearly, there is a shortfall.

The last category I would touch on is water infrastructure, primarily sewers. This body, the other body and the administration combined over the last several years have authorized 202 sewer programs, only 44 of which are actually funded, 22 percent. The needs and requests are about \$2.5 billion, and, again, I do think we have a shortfall in this country. The American Society of Civil Engineers and the U.S. EPA would indicate that to simply bring up existing infrastructure for clean drinking water, we would have to expend an additional \$11 billion for wastewater, \$12 billion. Clearly, the resources as far as the allocations do not exist.

Mr. Chairman, the chairman has done an exceptional job with the resources we were given. This is a very good bill. However, I do think the ad-

ministration and the Congress someday, whether it is water or other economic infrastructure, has to face the fact that we need to invest more money.

Mr. Chairman, I reserve the balance of my time.

Mr. CALLAHAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. YOUNG), the chairman of the full committee, and the gentleman who is responsible for marshalling all 13 of these appropriation bills through this body and through the conference.

Mr. YOUNG of Florida. Mr. Chairman, I wanted to congratulate the chairman of this subcommittee. He and the ranking member have done an outstanding job in bringing disagreements together to agreements. They have a good bill. There will be some differences that we will be discussing here later this afternoon, but they have done a really good job. They have worked together very well in a good bipartisan fashion, and they have produced a bill of which both the chairman as well as the ranking member can be very proud. The staff of the subcommittee, too, have done yeoman's work.

I take this little extra time, Mr. Chairman, to say that one of the conversations that we will probably have this afternoon will have to do with energy. We have enough problems with energy because of our heavy reliance on foreign sources. We have problems with those foreign sources on occasion. We cannot afford to have any energy wars here at home with each other. So we need to be careful how we approach all of these issues so that we do not get into a battle with ourselves over energy.

A major industrial Nation like the United States, which is a large consumer of energy, must also understand the importance of producing energy, because if we totally rely on energy sources from abroad, we will find ourselves in real tight spots on occasion, which we do on occasion.

So when we get to those issues later today, let us understand that we are all on the same team, and that we are not going to start any energy wars between one section of the country and another; that we are going to work together to work out what is right and best for the people of the United States of America, who are energy consumers.

But again, I wanted to say that the gentleman from Alabama (Mr. CALLAHAN), the chairman of the subcommittee, has done a beautiful job with this bill with the help of the gentleman from Indiana (Mr. VISCLOSKEY), and it deserves the support of the Members of the House. I hope that we can do that expeditiously and move on to other matters.

Mr. Chairman, we will be filing the Agriculture Bill this afternoon and hopefully will have it on the floor tomorrow. The subcommittees have marked up two more appropriations

bills this morning, so we really are moving quickly. We got off to a late start because we received our specific numbers and budget justifications late, but we are catching up, and we are catching up pretty effectively.

Mr. VISCLOSKY. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. ROYBAL-ALLARD), a valued member of the subcommittee.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise for the purpose of engaging in a colloquy with the gentleman from Alabama (Mr. CALLAHAN) on the subject of security procedures at the Department of Energy headquarters.

Members of this House were appalled when they learned about the incident involving our colleague, the gentleman from Oregon (Mr. WU), at the Department of Energy headquarters a few weeks ago. The gentleman from California had been invited by DOE to be a guest speaker at a celebration honoring the contributions of Asian Pacific Islander Americans to this country. But when he arrived at DOE headquarters, he was refused admittance and asked three different times whether he was an American citizen, even after producing an official card identifying him as a Member of Congress.

An Asian American aide accompanying the gentleman from California (Mr. WU) was also refused admittance, despite producing a congressional identification card.

As the representative of the 33rd Congressional District of California, I am proud to represent an active community of Asian Pacific Islander Americans in Los Angeles. Understandably, we were very upset at this incident and the implication of discrimination by an official government agency.

I, therefore, want to take this opportunity to thank the gentleman from Alabama (Mr. CALLAHAN) for including language in our report expressing the committee's concern about this incident and asking DOE to examine its security procedures in light of it.

Mr. CALLAHAN. Mr. Chairman, will the gentlewoman yield?

Ms. ROYBAL-ALLARD. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I appreciate very much the gentlewoman's interest in this matter, and I know that we are all concerned about this incident. As the gentlewoman has requested, we have directed DOE to reconsider its security procedures and to report back to us.

Ms. ROYBAL-ALLARD. Mr. Chairman, reclaiming my time, I thank the gentleman for providing me with this opportunity to report to our colleagues on how we have responded to this disturbing incident. I very much appreciate the gentleman's willingness to work with me to ensure that DOE's security procedures are not only effective, but that they are also in keeping with our American values against discrimination.

Mr. CALLAHAN. Mr. Chairman, I yield 5 minutes to the gentleman from

New Jersey (Mr. FRELINGHUYSEN), a member of our subcommittee, and a very important member of our subcommittee.

(Mr. FRELINGHUYSEN asked and was given permission to revise and extend his remarks.)

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise today in support of the energy and water appropriations bill for this year. Let me thank first the gentleman from Alabama (Mr. CALLAHAN), the chairman of the subcommittee, for his leadership on our subcommittee's work, and to the gentleman from Indiana (Mr. VISCLOSKY), the ranking member, for his bipartisan approach to our bill, and my thanks to the subcommittee staff for their tireless efforts in putting this bill together.

The gentleman from Alabama (Mr. CALLAHAN) has produced a bill that ensures our Nation's continued commitment to work in partnership with our States and local communities to address such vital needs as flood control, shore protection, environmental restoration, and improving our Nation's many waterways. By doing so, we are helping meet our critical economic, environmental and public safety needs in virtually every State in the Nation, and we are doing so in keeping with our 302(b) allocation, which means we are working within the confines of a balanced Federal budget.

As the chairman can attest and has attested, there are many more requests for funding than our budget allocation can provide for. The No New Start policy contained in this bill is difficult, but very necessary. We are focusing our limited dollars on ongoing projects that are on schedule and on budget.

The chairman deserves special recognition for rejecting forthright the proposition that we should change in midstream the Federal Government's funding formula commitments to these ongoing projects. For more than 170 years, the Federal Government has worked in partnership with our States and local communities to provide solutions to critical flooding, dredging and environmental problems, as well as beach and shore protection. In my home State of New Jersey, these projects have kept our port of New York and New Jersey open for business, and prepared us for the future of bigger ships.

I want to thank the chairman in particular for his strong support of dredging for our port, and with this bill we are helping to keep 127 miles of our beaches in my State open for visitors from around the country and around the world. This is a \$30 billion industry of tourism for our State. It employs over 800,000 people.

Finally, to help protect people, their homes and businesses from the ravages of flooding, we are helping to purchase wetlands for natural storage areas, and we are working alongside local govern-

ments in Somerset and Morris Counties and elsewhere to develop long-term solutions to keep people safe and our communities whole in the event that floods reoccur, and they will.

Let me also address part of our bill which provides funding for the Department of Energy. Here we have focused our critical dollars on the central programs where the Federal Government can truly make a difference. I especially want to thank the chairman for his support of \$248 billion for the fusion program and \$25 million for laser research. In the President's national energy plan, fusion energy was actually highlighted as having the potential to serve as an inexhaustible and an abundant clean source of energy. The President's energy plan suggests that fusion should be developed as a next-generation technology, and I agree.

Finally, let me say a word about funding for the renewable energy resources, since they are a focus of so much public attention. Let us be clear. Everyone supports renewables, and we fund these programs at \$376 million. In fact, in the 7 years I have served on this subcommittee, we have invested over \$2.2 billion in renewable energy. This year's added funding maintains our commitment to renewables.

Mr. Chairman, I rise in support of this bill, and I urge my colleagues to do the same.

Mr. VISCLOSKY. Mr. Chairman, I would simply follow up on the colloquy that the gentlewoman from California and the gentleman from Alabama had and would note that the committee directs the Secretary to report back by September 1 of this year in anticipation of the conference. So I do appreciate the chairman's cooperation.

Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota (Mr. SABO).

Mr. SABO. Mr. Chairman, I thank my colleagues for including in the bill a \$4 million increase for transmission reliability and to direct the Department of Energy to initiate field-testing of advanced composite conductors. I just want to clarify that these additional funds will be used explicitly for Aluminum Matrix Composite conductors; is that correct?

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. SABO. I yield to the gentleman from Alabama.

□ 1415

Mr. CALLAHAN. The gentleman from Minnesota (Mr. SABO) is correct.

Mr. SABO. Reclaiming my time, I thank the gentleman from Alabama for his response.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. Mr. Chairman, I would like to inquire about a provision in the Committee Report. In title III, describing the Committee's funding priorities for the Department of Energy's Energy, Biomass,

Biofuels and Energy Systems program, the report states "\$1 million to support a cost-shared agricultural waste methane power generation facility in California."

With regard to this California project, I ask the gentleman from Alabama (Mr. CALLAHAN) is it the same effort proposed by the Inland Empire Utilities Agency in cooperation with the dairies located in the Chino Dairy Preserve?

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. GARY G. MILLER of California. I yield to the gentleman from Alabama.

Mr. CALLAHAN. The gentleman from California is correct.

Mr. VISCLOSKY. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. EDWARDS), a member of the Subcommittee on Energy and Water Development.

Mr. EDWARDS. Mr. Chairman, I rise in support of this important legislation, and I would like to speak about both its process and its product.

Regarding the process in developing this bill, I want to commend the gentleman from Alabama (Mr. CALLAHAN), who is not new to a position of being chair in this House, he is not new to the subcommittee; but this is his first term as a chairman of this subcommittee. Through his leadership, working with the gentleman from Indiana (Mr. VISCLOSKY), the ranking member, this was truly put together on a fair and bipartisan basis with the intention of what is good for the country in different regions of the country, not what is good for one party or another.

Mr. Chairman, I regret sometimes that the amount of press attention to legislation in Washington is inversely proportional to the importance of that legislation and how well it is handled. There may not be a lot of coverage of this today in many parts of the country, because it was done on a bipartisan basis without squabbling and infighting.

In terms of the product of this bill, I rise to speak about it because many people in this House and throughout the country do not pay a great deal of attention to the work of this subcommittee, especially because much of its work is designed for prevention, flood prevention and nuclear proliferation prevention.

If this committee does its work well, people never know how important the work of the Subcommittee on Energy and Water has actually been to their lives.

Mr. Chairman, let me pay special tribute to the gentleman from Alabama (Chairman CALLAHAN) for his strong leadership efforts supported by the gentleman from Indiana (Mr. VISCLOSKY) in seeing that at a time of great flooding, in the wake of Tropical Storm Allison, we did not cut the funding for the Army Corps of Engineers flood control projects as had been originally proposed.

In an area of which I have great personal interest, the area of nuclear non-proliferation, I think most Americans would be surprised to know that in Russia today, there is enough nuclear grade plutonium and enriched uranium to build 80,000 nuclear bombs.

This subcommittee's work is to try to help Russia to get control of that nuclear material so that, God forbid, we do not wake up some day, weeks or months or years from now and read about a major American city having lost millions of its citizens because of the terrorists getting their hands on some nuclear material from the former Soviet Union, not putting it on the tip of a nuclear missile, but putting it in a backpack and parking it in a pickup truck in a major American city.

The gentleman from Alabama (Chairman CALLAHAN) especially deserves the appreciation of American families for saying that we must make an increased investment to ensure that that nuclear material should not get into the hands of terrorists throughout the world.

We may never know how much of a debt of gratitude we owe the gentleman from Alabama (Chairman CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKY), as his partner in fighting to increase that funding. But I thank the gentleman from Alabama personally as a Member of Congress and as a father for the effort in that particular area, as well as the important work of this subcommittee and flood control and energy renewable research.

Mr. Chairman, I rise in strong support of this legislation. It was handled well. The product is a good one.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Chairman, I also want to thank the gentleman from Alabama (Chairman CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKY), the ranking minority member, for the leadership they have provided in putting this legislation together to fund the important programs of the Department of Energy and the Army Corps of Engineers. I support the fiscal year 2002 energy and water development appropriation measure.

Mr. Chairman, I genuinely appreciate the subcommittee's continued support of the Kentucky Lock Addition and Olmsted Locks, which help transport waterborne commerce to more than 23 States and for reinstating funding for the annual dredge work at Kentucky's only port on the Mississippi River, the Elvis Star Harbor in Hickman, Kentucky.

In particular, I want to thank the subcommittee for agreeing to our request to increase funding for environmental cleanup at the Paducah Gaseous Diffusion Plant. The \$10 million increase the subcommittee provided is desperately needed to help combat the myriad of environmental programs and problems stemming from over 50 years of enriched uranium production at that site.

These funds, along with the monies the subcommittee has provided for cylinder maintenance and the construction of an on-site low-level waste disposal cell, will keep us on a steady path towards a safer workplace and a safer community.

Mr. Chairman, the employees at the plant and the citizens living and working in the area adjacent to the plant deserve no less.

On one separate issue, I understand that with the constraint of money, obviously, that the bill recommends a slight reduction in the DOE's Office of Environmental Safety and Health. To the extent that this reduction might impact the very important medical monitoring program at Paducah for current and former workers, I hope that the gentleman from Alabama (Chairman CALLAHAN) might consider restoring those funds, if it is possible, as the bill moves forward.

The monitoring program is a key component of the newly established DOE workers compensation program, which has just now been implemented Nationwide.

Again, I want to thank the gentleman from Alabama (Chairman CALLAHAN), the gentleman from Indiana (Mr. VISCLOSKY), the ranking minority member, for their leadership; and I look forward to the passage of this legislation.

Mr. VISCLOSKY. Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona (Mr. PASTOR).

(Mr. PASTOR asked and was given permission to revise and extend his remarks.)

Mr. PASTOR. Mr. Chairman, first of all, I would like to congratulate the gentleman from Alabama (Mr. CALLAHAN), the Chairman of the Subcommittee on Energy and Water Development, and the gentleman from Indiana (Mr. VISCLOSKY), the ranking member on the subcommittee, for the fine work they have done in bringing this bipartisan bill forward.

I also would like to thank both of the gentleman for the projects which are funded in this bill. The Rio Salado project has been funded for the construction of the Rio Salado, and those of us who live in Maricopa County are very appreciative of it.

We also want to thank the subcommittee for funding the various flood control studies and habitat restoration of the various tributaries of the Salt River. Also, those of us who represent Tucson are very thankful, because, in this bill, we fund many projects that deal with habitat restoration and flood control in southern Arizona.

Mr. Chairman, I look forward to working with the gentleman from Alabama (Mr. CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKY), the ranking member, to deal with the issue of the Nogales Wash and to see how we can fund that flood control project; but I would urge my colleagues to support this bill, it is bipartisan.

Mr. Chairman, I would also like to thank the staff who have worked very hard on this bill.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Montana (Mr. REHBERG).

Mr. REHBERG. Mr. Chairman, I would like to engage in a brief colloquy with the gentleman from Alabama (Chairman CALLAHAN).

Mr. Chairman, I want to commend the gentleman from Alabama (Mr. CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKEY) for their action to restore over \$30 million in funds which were eliminated from the fiscal year 2002 budget for the U.S. Department of Energy's Office of Science and Technology within the Environmental Management program.

The Office of Science and Technology has a very important mission in developing and implementing means to clean up contaminated Federal property around the country, and it deserves the continued and strong support of the Congress.

Mr. Chairman, I am concerned about the continuation of the important work of DOE's Western Environmental Technology Office, or WETO, located in Butte, Montana. At this facility, the National Energy Technology Laboratory provides critical support to DOE's Office of Science and Technology. Their activities help facilitate DOE's demonstration, evaluation, and implementation of technologies that promise to provide much needed solutions to the environmental cleanup challenges at various DOE sites.

DOE's Research and Development contract for the Western Environmental Technology Office, originally awarded in fiscal year 1997, has been extended through the end of fiscal year 2003. That contract extension provided that DOE would fund WETO at the following levels: \$6 million in fiscal year 2001, \$6 million in fiscal year 2002, and \$4 million in fiscal year 2003. Consistent with this contract and schedule, the Energy and Water Development Appropriations Act for fiscal year 2001 provided \$6.5 million for WETO to carry out its important functions.

It is critically important to preserve this commitment to WETO and continued funding as scheduled. I would add, Mr. Chairman, that the operations and activities of WETO are very important to the economy in Montana. Many professionals have chosen western Montana as their home while they serve our Nation's challenge to clean contaminated DOE's sites.

I ask the gentleman from Alabama (Mr. CALLAHAN) if he would agree that it is the committee's intent that DOE's agreement with WETO be honored and funded to the maximum extent possible?

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. REHBERG. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Absolutely, I would agree with the gentleman from Mon-

tana. If the Department of Energy has signed a contract with the facility, then it should be honored to the maximum extent possible.

Mr. REHBERG. Reclaiming my time, I thank the chairman for his consideration of this very important program.

Mr. VISCLOSKEY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York (Mr. CROWLEY).

(Mr. CROWLEY asked and was given permission to revise and extend his remarks.)

Mr. CROWLEY. Mr. Chairman, I thank the gentleman from Indiana (Mr. VISCLOSKEY) for yielding me such time.

Mr. Chairman, I rise in strong support of the energy and water bill before us today. I want to thank and congratulate the gentleman from Alabama (Chairman CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKEY), the ranking member, for their great work in crafting a solid bipartisan bill that will meet some of the important energy and infrastructure needs of our Nation over the next year.

In particular, I want to thank the committee for including \$4.4 million in this bill for the cleanup of Flushing Bay and Creek in my congressional district in Queens.

This funding will be used for the badly needed dredging of parts of this water body to clean up old sediment and other debris that has built up in the bay and creek which has hampered economic development and the free flow of commerce, as well as trapped pollution and pollutants and other contaminants in that body of water.

The pollution build-up in Flushing Creek Bay and creek has resulted in foul odors and water discoloration, making this body of water a blight on our community, but this investment by the committee in the cleanup will make Flushing Bay and its creek the envy of Queens County.

Mr. Chairman, once again, I want to thank the gentleman from Alabama (Chairman CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKEY), the ranking member, for their hard work and support of this project for the people of my district in Queens, New York.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from Missouri (Mr. GRAVES).

Mr. GRAVES. Mr. Chairman, I, too, want to commend the gentleman from Alabama (Chairman CALLAHAN) for his work on this bill.

Mr. Chairman, I rise today in strong support of this bill, specifically the language included to prohibit the Corps of Engineers from using funds to implement a spring rise in the Missouri River.

The National Fish and Wildlife Service recommends implementing higher water levels in the spring and lower levels in the fall. While this artificial spring rise may help improve the breeding habitat of three species, lest tern, piping plover, and pallid stur-

geon, the higher spring water level increases the risk for flooding in towns and on valuable farmland.

The spring rise would devastate communities in my district and all along the Missouri and Mississippi Rivers. When water is released from upstream dams in the Dakotas and Montana, it takes 12 days to reach St. Louis, where the Missouri meets the Mississippi. Once water is released, it cannot be retrieved. Any rains during that 12-day period would make it impossible to control the amount of flooding that would occur.

As we saw earlier this month, the Missouri and Mississippi Rivers often flood naturally; we do not need any additional government-imposed floods. Unless you have been in one of those communities where a flood has hit, you cannot appreciate how devastating a flood can be.

This is not a new proposal, Mr. Chairman. Similar language has been included in the last five energy and water appropriation bills. I urge my colleagues to put the needs of the people living and working along the river above the needs of the piping plover and/or the lest tern.

Mr. VISCLOSKEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Chairman, I rise today first to commend the gentleman from Alabama (Mr. CALLAHAN), the Chairman of the Subcommittee on Energy and Water Development, and the gentleman from Indiana (Mr. VISCLOSKEY), the ranking member, for their consistent leadership in addressing the Nation's water infrastructure needs.

Mr. Chairman, I support this bill, and I appreciate their support of the request that I submitted. I am pleased that \$5.5 million of this year's appropriation bill will go towards the West Basin Municipal Water District located in my district, and these funds will assist in the development of The Harbor/South Bay Water Recycling Project in Los Angeles County. The Harbor/South Bay Water Recycling Project will yield clear and measurable long-term returns from this short-term investment.

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This project will result in both economic and environmental benefits to my district and to the region in California. The promise of a reliable water supply even from times of drought helps to build an economic climate that will correctly enhance our ability to attract businesses, create new opportunities, and retain jobs in my district. The project will annually develop up to 48,000 acre-feet of recycled water for municipal, industrial, and environmental purposes in the Los Angeles area.

Beneficiaries of this particular project will include my constituents, businesses and local governments, including the cities of Carson, Culver

City, Torrance and Lomita. Furthermore, the overall West Basin water recycling program will annually develop 70,000 acre-feet of alternative water resources, in addition to reducing the amount of effluent discharge into the Santa Monica Bay, which is a national marine estuary.

I would like to also acknowledge those Members who are California-based on this committee who actively advocated on my behalf, and I thank them very much and thank the ranking member and the chairman.

Mr. CALLAHAN. Mr. Chairman, I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in support of this bill and commend the subcommittee leadership on their very timely and efficient work on this important piece of legislation.

I was especially happy to see the committee's recognition of better preserving and protecting the Mississippi River Basin. As co-chair of the bipartisan Mississippi River Task Force, I was happy to see them increase funding by a few million dollars to the important Environmental Management Program above what the Administration requested in their budget.

This is a five-State collaboration program that also involves USGS, the Army Corps of Engineers, Fish and Wildlife Service, which involves Habitat Restoration Projects along the Mississippi River and a long-term resource monitoring scientific program to better determine what exactly is happening in that very valuable ecosystem within the Mississippi River Basin.

We were hoping as a task force to have the funding increased even more, closer to the full \$33 million funding that the program is permanently authorized for right now. We are hoping, as the process moves forward, we will be able to continue to work with the leadership to try to increase the funding to bring the program up to scale where it is needed.

I was, however, disappointed that there was zero funding allocated to the Challenge 21 program of the Corps of Engineers. This is a nonstructural approach to flood mitigation in this country. Obviously, we have had some very terrible floods in the upper Mississippi region. I think there are a lot of things that can be done as far as nonstructural flood mitigation that Challenge 21 would specifically target. We are hoping again that, as more information becomes known about this very important program, we are going to be able to finally get some funding to it.

Finally, I want to commend the committee for recognizing, I feel, the bipartisan support that exists in Congress for the important investments that need to be made in alternative and renewable energy sources. I believe ev-

eryone here recognizes that any realistic, comprehensive, long-term energy plan has to involve the important role of alternative and renewable energy sources in order to meet our long-term energy needs and sustain growth in this country.

So I commend the committee for their work. Obviously, I believe that there are some things that we need to stay focused on and continue working hard to try to accomplish.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. FOSSELLA).

Mr. FOSSELLA. Mr. Chairman, I thank the gentleman from Alabama for yielding me this time. I thank him for giving me the opportunity to discuss an issue that is important to people I represent. I also would like to thank him for his commitment to this bill to harbor projects in the New York/New Jersey area.

The dredging of the Port of New York and New Jersey is vital to the continued economic competitiveness of the Port as we begin the 21st century. Dredging is necessary, as we all know, to allow for shipping to continue and allow for new generations of ships to have access to the port. However, I also understand and share the environmental concerns regarding dredging. In short, dredging and the disposal of dredge materials can only be conducted in such a manner that does not adversely impact Staten Island or its surrounding waterways.

Over the past years, I have expressed to the Army Corps of Engineers my serious concerns regarding proposals calling for the establishment of containment islands and borrow pits. I have also met with citizens and groups who have expressed similar concerns.

Containment islands, Mr. Chairman, are not appropriate. In the draft, Dredged Material Management Plan, the Army Corps of Engineers found containment islands to be too costly and claimed they were not going to be considered as a viable option. In fact, according to the Corps, pits located directly off Coney Island, the East Bank Pits, and Staten Island, for example, the CAC Pit, that were identified by citizen groups as being designated for near-term disposal activity have been studied extensively and are no longer being considered for any action. However, I want to ensure that the Corps has held to these statements and these options are officially removed from consideration.

We have a responsibility to protect our waterways and marine life from potentially harmful pollutants. The use of emerging technologies and innovative ideas, such as using dredged material for abandoned coal mine reclamation, as well as upland disposal options must be fully explored. The economic benefits of dredging and protecting the environment, I believe, are not mutually exclusive.

Therefore, Mr. Chairman, I would like to work with you as this moves to

conference with the Senate to address this important issue.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. FOSSELLA. I am happy to yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I would like to thank the gentleman from New York for bringing this matter to our attention. I want to pledge to him to work with him and the Army Corps of Engineers to address this as this bill moves further along. I will do all that I can to help him. I know of his passion to protect the waterways off the coast of Staten Island, and I want to pledge to do everything I can to help him protect those waterways.

Mr. FOSSELLA. Mr. Chairman, I thank the gentleman very much for his leadership.

Mr. VISCLOSKY. Mr. Chairman, I understand that the majority has no further speakers. I yield back the balance of my time.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to comment that we worked very hard to get this bill to the position it is in today. This is just the first of several steps in the process as we all know. It has to go to the Senate after today, and then it has to go through a conference committee after that. I want the Members to know that we are going to do everything we can to protect what we have in this bill and that I am sure my colleagues have the same commitment from the gentleman from Indiana (Mr. VISCLOSKY).

But I echo in Mr. VISCLOSKY's earlier statement and would like to thank the staff members that have formulated and drafted this bill. It is a very complicated bill, and it requires a lot of talent. Bob Schmidt and Jeanne Wilson and Kevin Cook, Paul Tumminello and Tracey LaTurner, along with my staff, Nancy Treppins and Mike Sharp, have done a tremendous job in writing and drafting this very complicated piece of legislation.

But we are happy to have received the support we have received from all Members of Congress.

Mr. Chairman, I yield such time as he might consume to the gentleman from Iowa (Mr. LATHAM), a member of our subcommittee.

Mr. LATHAM. Mr. Chairman, I thank the chairman very much for yielding me this time.

Mr. Chairman, I yield to the gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. Mr. Chairman, I thank the gentleman from Iowa for yielding to me.

Mr. Chairman, I intend to rise today to speak to section 106 of the bill before us. Section 106 would prevent the U.S. Army Corps of Engineers from revising the Missouri River Master Water Control manual that includes anything that includes a so-called spring rise. Mr. Chairman, I have to express my

strong objection to that particular provision.

For most of my colleagues here in the House, this debate may not be familiar. It is primarily a regional issue with divisions that break along regional lines, but its significance is much broader than that.

For more than a decade, the Corps has been working toward a revision of the master manual that would change the flow and possibly the priorities of the river. The process has been complicated and contentious, but we are nearing a resolution.

I appreciate the concerns that the proponents of section 106 have regarding downstream flooding and the continued viability of navigation. However, I believe there is a way to address upstream and downstream concerns as we modify the master manual to account for those competing priorities.

I believe we can forge a balanced approach to the operation of the river. We must consider all of the impacts and do this in a way that balances the needs of all the States concerned.

In addition to recreation flood control navigation, we must consider the impacts changes would have on hydropower generation, water supply, and environmental and cultural resources.

The Corps has been working diligently to account for all of these concerns, but there are strong and vocal views on all sides of any solution that they produce. As a result, Mr. Chairman, I would like Congress to look for a new way to deal with this problem that involves consensus building among the various stakeholders.

In the past, the Missouri River Basin Association, a group made up of representatives of the governors of each of the eight basin States and representatives of the Indian tribes has had success in finding common interest among the disparate views of the upstream and downstream States.

As a result, I would like to know if the chairman of the subcommittee, the gentleman from Alabama, would be willing to work with me to consider a solution that would help bring consensus to this issue?

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. LATHAM. I am happy to yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman from South Dakota (Mr. THUNE) for his interest in this issue. I am well familiar with this issue through previous conversations that we have had throughout the years, and I know of the great importance it is to him and his State.

I appreciate his concerns and would welcome any solution and input that he may have. I would also encourage him to work with his colleague and neighbor, the gentleman from Iowa (Mr. LATHAM), in order to reach a result.

Mr. THUNE. Mr. Chairman, if the gentleman from Iowa will further yield, I thank the chairman for his

commitment and for remaining open to working with me on this and as well as for his support of a number of South Dakota priorities that are included in this energy and water appropriation bill.

I also appreciate his suggestion that I work with the gentleman from Iowa (Mr. LATHAM) on this solution.

Mr. LATHAM. Mr. Chairman, I appreciate the interest of the gentleman from South Dakota (Mr. THUNE) in this issue and his willingness to consider some middle ground on this divisive matter.

Our States have so much in common, yet there clearly are differences on this issue. Nonetheless, I do think it is worth considering those areas of the master manual debate where we do agree and work together toward an answer that would satisfy the concerns of upper and lower basin States.

I do not expect this to be an easy task as we all know but would welcome the gentleman's input in the process, and I am willing to work with him to consider various options.

Mr. Chairman, I yield to the gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. Mr. Chairman, I thank the gentlemen for their cooperation. As I stated earlier, while I am disappointed this provision likely will be approved by the House today, I am encouraged by the willingness of my colleagues to work with me on a balanced consensus-based approach to revise the Missouri River Master manual.

Mr. CALLAHAN. Mr. Chairman, I yield 3 minutes to the gentleman from Mississippi (Mr. WICKER), a member of our subcommittee, and I might tell my colleagues a very knowledgeable member on all of the issues that come before our committee.

Mr. WICKER. Mr. Chairman, let me say that it is an honor and a privilege and a joy to work on this subcommittee with the gentleman from Alabama (Chairman CALLAHAN) and also the gentleman from Indiana (Mr. VISCLOSKEY), our ranking minority member. I appreciate their hard work and cooperation in producing this bipartisan piece of legislation.

I particularly want to thank the gentleman from Alabama (Chairman CALLAHAN) for crafting a bill which recognizes the benefits of making needed investments today in order to save money tomorrow.

Let me just give the committee two examples of this. One excellent example is the substantial increase in funding for the environmental management cleanup activities at our Nation's nuclear laboratories and facilities. H.R. 2311 provides over \$7 billion for the purpose of this cleanup. This is an increase of over a quarter of \$1 billion over last year's amount. This increase will allow cleanup timetables to stay on schedule and save unnecessary future costs.

I am also pleased that this bill reflects the importance of our Nation's water infrastructure. Mr. Chairman,

our Nation's waters do not recognize State lines as we all know. Over 40 percent of the Nation's water flows by the borders of my home State of Mississippi. Flood control and maintaining navigable waterways are national issues. By making the necessary investments in these activities, we will avoid the greater cost in the future that we would have if we were not having the proposed spending today.

So, Mr. Chairman, I urge the support from all of my colleagues for this bipartisan bill which fund our Nation's priorities and, of course, within the context of a balanced budget.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. EVERETT).

Mr. EVERETT. Mr. Chairman, the cities of Dothan, Enterprise, Ozark, Daleville and the U.S. Army Aviation Center at Fort Rucker, Alabama have formed a partnership in support of a regional reservoir to meet their water supply needs.

The Geological Survey of Alabama has a 3-year study to locate a reservoir to serve these areas experiencing water, severe water supply shortages and is currently working with the Corps of Engineers on a needs assessment which should be completed in a few months.

Does the Chairman understand the importance of this project to the cities mentioned and to the Army Aviation Training Center and that this is not a new project?

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield.

Mr. EVERETT. I am glad to yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I do understand these communities are suffering water shortages primarily because the gentleman from Alabama (Mr. EVERETT) tells me about it every night. Every time we get in a 5-minute lull he expresses to me his serious concerns about these problems, which I think will worsen in the near future, and that the corporation of the Corps is needed as soon as possible.

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I pledge to work with the gentleman and find an appropriate resolution to this situation as this process moves forward, probably in conference.

Mr. EVERETT. I appreciate the chairman's comments.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume to advise my colleagues that I do not have any further speakers. But, once again, let me remind the Members that this is the first stage of this process and that we have been fairly generous, I think, in recognizing all of the demands of all the Members on both sides of the aisle. I pledge, along with the gentleman from Indiana (Mr. VISCLOSKEY), to try to protect all the projects we have in here as it goes through the process.

As my colleagues well know, the process could involve removal of some

of these projects in the Senate, it could include removal of some of these projects in conference, but I am going to do everything I can to make absolutely certain that the Members who support this bill especially, that their projects are preserved.

Mr. MATSUI. Mr. Chairman, I would like to thank Chairman CALLAHAN and Ranking Member VISCLOSKEY, and the Members of the Subcommittee for their support of Sacramento flood control projects included in the Fiscal Year 2002 Energy and Water Appropriations bill. As this body knows, with a mere 85-year level of protection, Sacramento has been identified by the U.S. Army Corps of Engineers as having the least amount of flood protection of any major metropolitan area in the nation. At risk are roughly half-a-million people and \$40 billion in economic value. This includes 1,200 public facilities, 130 schools, 26 nursing home facilities, 7 major hospitals, major interstates and highways, and the Capitol to the world's sixth largest economy.

Thankfully, this subcommittee has again generously funded numerous project requests in my Sacramento district essential to the ongoing flood work necessary to address this dire situation. Specifically, I thank the subcommittee for the \$8 million allocation for continued construction modifications to Folsom Dam. These flood outlet modifications represent the linchpin to Sacramento's flood control system, providing a doubling of Sacramento's flood protection and giving to the flood plain its first major improvements to flood control in more than 40 years. I also am grateful for the \$15 million included for the American River Watershed Common Elements which will provide much needed improvements to more than 36 miles of Sacramento's levees, the last line of defense against catastrophic flooding. I also would like to thank the Members for their efforts in securing additional funding for a series of smaller, yet no less critical, regional flood control projects. This includes projects for Sacramento River bank protection, work on the Lower Strong and Chicken Ranch Slough, Magpie Creek, and funds to allow for ongoing studies for American River Watershed flood control.

It is my hope that as this legislation continues to move through the legislative process, serious consideration is given to funding "new starts" construction projects. The South Sacramento Streams project will provide protection to more than 100,000 people and 41,000 structures from a network of creeks and small rivers in the region. This project was authorized in the 1999 Water Resources Development Act and is now ready for construction. Although I recognize the extremely tight budgetary constraints confronting this subcommittee, the perilous situation that these streams pose to the South Sacramento region makes initial construction funding essential. I ask for your support in providing funding for this critical new start project in the conference committee.

Again, on behalf of my Sacramento constituents, I remain grateful for your past and continuing support of these vital, life-saving projects. Thank you for your efforts in supporting essential federal assistance to the most pressing public safety issue confronting the region.

Mr. BEREUTER. Mr. Chairman, this Member would like to commend the distinguished

gentleman from Alabama (Mr. CALAHAN), the Chairman of the Energy and Water Development Appropriations Subcommittee, and the distinguished gentleman from Indiana (Mr. VISCLOSKEY), the Ranking Member of the Subcommittee, for their exceptional work in bringing this bill to the Floor.

This Member recognizes that extremely tight budgetary constraints made the job of the Subcommittee much more difficult this year. Therefore, the Subcommittee is to be commended for its diligence in creating such a fiscally responsible measure. In light of these budgetary pressures, this Member would like to express his appreciation to the Subcommittee and formally recognize that the Energy and Water Development appropriations bill for fiscal year 2002 includes funding for several water projects that are of great importance to Nebraska.

This Member greatly appreciates the \$11 million funding level provided for the four-state Missouri River Mitigation Project. The funding is needed to restore fish and wildlife habitat lost due to the Federally sponsored channelization and stabilization projects of the Pick-Sloan era. This islands, wetlands, and flat floodplains needed to support the wildlife and waterfowl that once lived along the river are gone. An estimated 475,000 acres of habitat in Iowa, Nebraska, Missouri and Kansas have been lost. Today's fishery resources are estimated to be only one-fifth of those which existed in pre-development days.

In 1986, the Congress authorized over \$50 million to fund the Missouri River Mitigation project to restore fish and wildlife habitat lost due to the construction of structures to implement the Pick-Sloan plan.

In addition, this measure provides additional funding for flood-related projects of tremendous importance to residents of Nebraska's 1st Congressional District. Mr. Chairman, flooding in 1993 temporarily closed Interstate 80 and seriously threatened the Lincoln municipal water system which is located along the Platte River near Ashland, Nebraska. Therefore, this member is extremely pleased that H.R. 2311 continues funding in the amount of \$350,000 for the Lower Platte River and Tributaries Flood Control Study. This study should help formulate and develop feasible solutions which will alleviate future flood problems along the Lower Platte River and tributaries.

This Member is also pleased that this bill includes \$100,000 in funding requested by this member for the feasibility phase of a Section 206 wetlands restoration project in Butler County, Nebraska. The key element of the plan is the incorporation of a wetlands restoration project northwest of David City, Nebraska. This restoration was supported by a Natural Resources Conservation Service preliminary determination of wetlands potential for a 160-acre tract northwest of David City, Nebraska. Under the proposed project, storm water that currently travels northwest of David City will be diverted west before reaching the city, and then channeled south along a county road before being detained in the proposed wetlands area. The storm water will then slowly be released from the wetlands area so that there are no negative impacts to downstream landowners.

It is also important to note that this legislation includes \$200,000 requested by this Member which would be implemented through

the Lower Platte South Natural Resources District on behalf of the Lower Platte River Corridor Alliance. This amount represents the 50% Federal share under Section 503 of the Water Resources Development of 1996, to assess and plan for water quality infrastructure and improvements in the Lower Platte River Watershed concentrating on dire drinking water and wastewater needs within the Lower Platte River Corridor, between and including the communities of Ashland and Louisville, in Saunders and Cass counties, Nebraska.

This Member is also pleased that H.R. 2311 includes \$1,800,000 for the Missouri National Recreational River, which could be used for projects such as the Missouri River Research and Education Center at Ponca State Park in Nebraska. This center is located at the terminus of the last stretch of natural (unchannelized) river below the mainstem reservoirs and a 59-mile stretch of the Missouri River, which was designated as a Recreational River in 1978 under the Wild and Scenic River Act. It is one of the few stretches of the Missouri River that is like the beautiful untamed river seen by Lewis and Clark.

The Missouri River is one of the most historic, scenic and biologically diverse rivers in North America. The proposed research and education center will serve as a "working" interpretive center for the river and include interactive displays and exhibits. It will provide a timeline for the vast riverine ecosystem as well as an upstream view of the beginning of the Missouri National Recreation River. When completed the center will also include a classroom/conference room facility.

This Member recognizes that this bill includes \$656,000 for the Sand Creek Watershed project in Saunders County, Nebraska, and \$400,000 for the Antelope Creek project in Lincoln, Nebraska. However, this funding is to be used for preconstruction engineering and design work. This Member believes that it is critically important that the final version of the FY2002 Energy and Water Development appropriations legislation include some funding for construction of these projects.

Funding for these projects is particularly urgent. There is a cooperative effort in Nebraska between the state highway agency and water development agencies which makes this project more cost-effective and feasible. Specifically, the dam for this small reservoir is to be a structure that the Nebraska Department of Roads would construct instead of a bridge as part of the new state expressway in the immediate vicinity of Wahoo, Nebraska. Immediate funding would help ensure that this coordinated effort could continue.

Construction funding is also needed for the Antelope Creek project. It would be a significant setback to the project timetable if the Corps does not receive construction funding the project in FY2002. Delays in other components of the project would also likely result.

Finally, this Member is also pleased that H.R. 2311 provides \$275,000 in funding for the Missouri National Recreational River Project. This project addresses a serious problem by protecting the river banks from the extraordinary and excessive erosion rates caused by the sporadic and varying releases from the Gavins Point Dam. These erosion rates are a result of previous work on the river by the Federal Government.

Again, Mr. Chairman, this Member commends the distinguished gentleman from Alabama (Mr. CALLAHAN), the Chairman of the

Energy and Water Development Appropriations Subcommittee, and the distinguished gentleman from Indiana (Mr. VISCLOSKY), the ranking member of the Subcommittee, for their support of projects which are important to Nebraska and the 1st Congressional District, as well as to the people living in the Missouri River Basin.

Ms. PELOSI. Mr. Chairman, as we consider the Energy and Water bill today here in Washington, California and the West are in the throes of an energy crisis. Now is the time to strengthen and increase the federal commitment to new, clean energy sources. Instead, the Bush Administration proposed deep cuts in federal renewable energy programs, slashing core renewable energy research and development programs by 50%.

The Appropriations Committee chose to fund renewable energy programs at \$377 million, \$100 more than the President's proposal. However, \$377 million gives us only \$1 million more than we have in the current year for these important programs. We should increase our commitment to renewable energy resources and technologies, including wind, solar, and biomass. For this reason, I will vote for the Hinchey amendment to increase funding for renewable energy by \$50 million, which would provide funding for programs to deploy promising new technologies more rapidly.

Mr. CALLAHAN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. The amendment printed in House Report 107-114 is adopted.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2311

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, \$163,260,000, to remain available until expended: *Provided*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to

use \$1,000,000 of the funds appropriated herein to continue preconstruction engineering and design of the Murrieta Creek, California, flood protection and environmental enhancement project and is further directed to proceed with the project in accordance with cost sharing established for the Murrieta Creek project in Public Law 106-377: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use the feasibility report prepared under the authority of section 205 of the Flood Control Act of 1948, as amended, as the basis for the Rock Creek-Keefer Slough Flood Control Project, Butte County, California, and is further directed to use \$200,000 of the funds appropriated herein for preconstruction engineering and design of the project: *Provided further*, That in conducting the Southwest Valley Flood Damage Reduction Study, Albuquerque, New Mexico, the Secretary of the Army, acting through the Chief Engineers, shall include an evaluation of flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies regarding the frequency of flooding, the drainage areas, and the amount of runoff.

AMENDMENT OFFERED BY MR. TANCREDO

Mr. TANCREDO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TANCREDO:

Page 2, line 18, after the dollar amount, insert the following: “(reduced by \$9,900,000)”.

Page 18, line 2, after the dollar amount, insert the following: “(increased by \$8,900,000)”.

Mr. CALLAHAN. Mr. Chairman, I reserve a point of order against the amendment.

Mr. TANCREDO. Mr. Chairman, today I am offering this amendment to the Energy and Water Appropriations Bill that will increase funding to the Department of Energy's Renewable Energy Research Program by \$9.9 million with a corresponding offset for the Army of Corps of Engineers' General Investigations Account. That account, by the way, is currently receiving about a \$33 million increase above the President's budget request.

Recent electricity and gas shortages in California and other western States, along with an expanding recognition of environmental issues, have highlighted the need for clean renewable power. Concentrating solar power technologies offers a near-term opportunity for large-scale and cost-effective production of renewable energy.

An addition to these accounts would also allow the concentrated solar power program to continue its core long-term research and development activities that will help advance the next-generation trough and dish technologies. The focus would include identifying and implementing advanced converter options for modular dish systems. In fiscal year 2000, the CSP program began working with the National Renewable Energy Lab's high-efficiency photovoltaic team on the development of a high-efficiency concentrating photovoltaic converter as an alternative to the Stirling engine converter historically supported by the CSP program.

A \$5 million increase in the Biomass/Biofuels Energy Systems line item

would launch a collaborative effort that integrates advances in computational science and bioinformatics developed by the national labs and universities to develop a biorefinery simulation model that enables virtual testing and prototyping of biorefinery systems and components. The simulation model will provide a useful tool to test new concepts as well as provide a basis for industry to develop future design tools for biorefineries.

Mr. Chairman, this is an important amendment because I think it is, again, a matter of priorities. Certainly there is undeniable need for an investment in alternative energy research. No one denies that.

I want to actually thank the committee for their attention to this detail and for restoring the budget, the original budget, for NREL. The fact is that there are these two additional needs, and it is simply a matter of priorities.

It seems to me that with taking a part of the budget that has received a \$33 million increase above the President's request, taking a part of that, reducing it by only approximately \$9 million and putting it into this kind of research, is the correct priority.

We will be talking certainly on the floor here about various issues dealing with the Corps of Engineers, the integrity of the programs operated by the Corps of Engineers, and the integrity of the reports that they commission and are commissioned by others to do to determine whether or not a project is necessary. There are significant problems, to say the least, in this particular area.

Recently, for example, one of the reports that was done by the Corps of Engineers has been criticized by the Inspector General, not only criticized, but there is an allegation of manipulation of data, so much so that there is a criminal investigation under way with regard to that particular endeavor. This is an area in which we should not be increasing the amount of appropriations; we should be decreasing it, or at least we should be forcing the Corps of Engineers to reform itself in a way that would reflect our concerns about the poor administrative tactics they have employed so far.

The fact is that the committee itself added over 12 new studies that the administration did not request. Some of these studies stretch the boundaries of the Corps' jurisdiction. Again, we will be talking as time goes by, I know, Mr. Chairman, about the problems that are endemic to the Corps. Certainly I have a couple of amendments, I know other people do, where there is a great concern out there right now about the Corps of Engineers, about whether or not they have slipped their mooring, whether or not they are able to actually do what we expect of them or whether or not they have become almost a rogue agency.

The Congress of the United States takes some responsibility for that; but for that purpose, I would ask for the support of this amendment.

The CHAIRMAN. Does the gentleman from Alabama insist on his point of order?

Mr. CALLAHAN. No, sir. I withdraw my point of order, but I would like to rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. CALLAHAN. Mr. Chairman, I appreciate where the gentleman is coming from, but this appropriations process is long and involved. We invited every Member of Congress to submit their suggestions to us as to how we could best formulate this bill. The sponsor of this amendment did not choose to bring this to our attention, nor did he even request that we consider this during our regular process. But what he is doing in his amendment is taking \$9.9 million for this project specifically, and he is taking it out of the Corps' operating budget.

We went through a long deliberative process trying to establish how much money the Corps needed to operate, and in our deliberations we finally decided this was the amount of money that we need. This is not the time to accept this without any hearings or any indication as to what is best for the Corps or what is best for its program.

Maybe he does have a good program. But we cannot go through this process, and then everyone who has a specific project they would like funded comes to us and says let us take it out of the hide of the Corps of Engineers. I think the committee has done the responsible job in determining what the needs of the Corps of Engineers are going to be in the next fiscal year, and I would urge my colleagues to reject the gentleman's amendment.

Mr. VISCLOSKEY. Mr. Chairman, I move to strike the last word.

I would join the chairman in opposition to the amendment. I appreciate what the gentleman wants to do; but as I pointed out in my opening remarks, the Chair, myself, as well as members of the subcommittee and the full Committee on Appropriations, have added \$100 million to the renewable accounts.

Secondly, while the gentleman pointed out that our figure is \$33 million over the President's budget request for general investigations for the Army Corps, I would also point out the President's request of \$600 million was under this year's funding level, and we are still \$32 million under this current funding year level. The Army Corps cannot take that hit. I am adamantly opposed to the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. TANCREDO).

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. TANCREDO. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gen-

tleman from Colorado (Mr. TANCREDO) will be postponed.

The Clerk will read.

The Clerk read as follows:

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), \$1,671,854,000, to remain available until expended, of which such sums as are necessary for the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund, as authorized by Public Law 104-303; and of which such sums as are necessary pursuant to Public Law 99-662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 12, Mississippi River, Iowa; Lock and Dam 24, Mississippi River, Illinois and Missouri; Lock and Dam 3, Mississippi River, Minnesota; and London Locks and Dam, Kanawha River, West Virginia, projects; and of which funds are provided for the following projects in the amounts specified:

San Timoteo Creek (Santa Ana River Mainstem), California, \$10,000,000;

Indianapolis Central Waterfront, Indiana, \$9,000,000;

Southern and Eastern Kentucky, Kentucky, \$4,000,000;

Clover Fork, City of Cumberland, Town of Martin, Pike County (including Levisa Fork and Tug Fork Tributaries), Bell County, Floyd County, Martin County, and Harlan County, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, Kentucky, \$15,450,000: *Provided*, That \$15,000,000 of the funds appropriated herein shall be deposited in the San Gabriel Basin Restoration Fund established by section 110 of division B, title I of Public Law 106-554, of which \$1,000,000 shall be for remediation in the Central Basin Municipal Water District: *Provided further*, That using \$1,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to modify the Carr Creek Lake, Kentucky, project at full Federal expense to provide additional water supply storage for the Upper Kentucky River Basin: *Provided further*, That with \$1,200,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake design deficiency repairs to the Bois Brule Drainage and Levee District, Missouri, project authorized and constructed under the authority of the Flood Control Act of 1936 with cost sharing consistent with the original project authorization: *Provided further*, That in accordance with section 332 of the Water Resources Development Act of 1999, the Secretary of the Army is directed to increase the authorized level of protection of the Bois Brule Drainage and Levee District, Missouri, project from 50 years to 100 years using \$700,000 of the funds appropriated herein, and the project costs allocated to the incremental increase in the level of protection shall be cost shared consistent with section 103(a) of the Water Resources Development Act of 1986, notwithstanding section 202(a) of the Water Resources Development Act of 1996.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood control, rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a and 702g-1), \$347,665,000, to remain available until expended.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, \$1,864,464,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662, may be derived from that Fund, and of which such sums as become available from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601), may be derived from that account for construction, operation, and maintenance of outdoor recreation facilities: *Provided*, That with \$1,500,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to perform cultural resource mitigation and recreation improvements at Waco Lake, Texas, at full Federal expense notwithstanding the provisions of the Water Supply Act of 1958: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$2,000,000 of the funds appropriated herein to grade the basin within the Hansen Dam feature of the Los Angeles County Drainage Area, California, project to enhance and maintain flood capacity and to provide for future use of the basin for compatible purposes consistent with the Master Plan including recreation and environmental restoration: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$1,000,000 of the funds appropriated herein to fully investigate the development of an upland disposal site recycling program on the Black Warrior and Tombigbee Rivers project and the Apalachicola, Chattahoochee and Flint Rivers project: *Provided further*, That, for the Raritan River Basin, Green Brook Sub-Basin, New Jersey, project, the Secretary of the Army, acting through the Chief of Engineers, is directed to implement the locally preferred plan for the element in the western portion of Middlesex Borough, New Jersey, which includes the buyout of up to 22 homes, and flood proofing of four commercial buildings along Prospect Place and Union Avenue, and also the buyout of up to three commercial buildings along Raritan and Lincoln Avenues, at a total estimated cost of \$15,000,000, with an estimated Federal cost of \$11,500,000 and an estimated non-Federal cost of \$3,500,000.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, \$128,000,000, to remain available until expended.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites throughout the United

States resulting from work performed as part of the Nation's early atomic energy program, \$140,000,000, to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers; activities of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, and headquarters support functions at the USACE Finance Center, \$153,000,000, to remain available until expended: *Provided*, That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the executive direction and management activities of the division offices: *Provided further*, That none of these funds shall be available to support an office of congressional affairs within the executive office of the Chief of Engineers.

ADMINISTRATIVE PROVISIONS

Appropriations in this title shall be available for official reception and representation expenses (not to exceed \$5,000); and during the current fiscal year the Revolving Fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

SEC. 101. Section 110(3)(B)(i) of division B, title I of Public Law 106-554 is amended by inserting the following before the period: “: *Provided*, That the Secretary shall credit the San Gabriel Water Quality Authority with the value of all prior expenditures by the non-Federal interests that are compatible with the purposes of this Act”.

Mr. POMBO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage in a colloquy with the distinguished gentleman from Alabama about two very important water projects in my district that I believe deserve to receive Federal funding during the fiscal year 2002 appropriations process.

Let me begin by talking about the Banta-Carbona Irrigation District fish screen project. This project is located at the entrance to the Banta-Carbona Irrigation District intake channel on the San Joaquin River.

The Banta-Carbona Irrigation District is required by the U.S. Fish and Wildlife Service to put a fish screen facility on the San Joaquin River to protect the delta smelt, steelhead, fall run chinook salmon, and the splittail. Unfortunately, the Federal Government has required the Banta-Carbona Irrigation District to facilitate the funding, design, and construction of this fish barrier screen facility with little or no assistance. Without the fish screen project, the Banta-Carbona Irrigation District's agricultural water diversions could be shut down by these Federal agencies.

During the 107th Congress, the gentleman and I talked about the importance of providing the BCI District with the much-needed financial assistance to help defray the construction, operation, and maintenance costs of this fish screen facility. Unfortunately, no Federal funding was included in the fiscal year 2002 Energy and Water Development Appropriations bill.

After speaking with the gentleman about this request, the gentleman very kindly informed me about the difficulties his subcommittee was up against when it comes to appropriating funds for new start-up projects. While I appreciate the gentleman for bringing this to my attention, I would simply ask the chairman of the Subcommittee on Energy and Water Development if he would be willing to work with me to ensure that the Banta-Carbona Irrigation District receive some form of assistance in fiscal year 2002 to help them with the project.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. POMBO. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman from California for yielding to me, and I promise to work with him as we continue through the appropriations process. I understand the details of the project and agree that this project certainly merits congressional support. It is my firm intention to do all that I can to assist the gentleman from California on this very important issue as we move forward through this appropriation process.

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Mr. POMBO. Mr. Chairman, I thank the gentleman; and with regard to the second project known as the Farmington Groundwater Recharge Demonstration Project, let me point out that the Stockton East Water District and its neighbors pump from a critically overdrafted groundwater basin in my district.

The district also faces saline intrusion of up to 100 feet per year from the Sacramento-San Joaquin River Delta. This pending environmental disaster threatens the drinking supply of 300,000 residents and the \$1.3 billion agricultural economy of my district.

The Farmington Groundwater Recharge Demonstration Project addresses this problem. It is important for my colleagues to know that the WRDA of 1996 authorized a study to look at converting Farmington Dam into a storage facility for Stockton East Water District.

Further, WRDA of 1999 authorized \$25 million for conjunctive use and groundwater recharge projects within the Stockton East Water District. This study concluded that a demonstration project should be the next step.

I support the efforts of the Stockton East Water District, and I am requesting the gentleman's support of up to \$2.5 million in fiscal year 2002 for the project.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. POMBO. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman from California for yielding, and as I mentioned before, I promise to continue working with the gentleman from California during the

conference on this matter. I remain hopeful that we can accommodate the gentleman's concern and allay the point on this process.

Mr. POMBO. Mr. Chairman, I thank the gentleman, and conclude by saying that the gentleman from Alabama (Mr. CALLAHAN) and the ranking member from Indiana (Mr. VISCLOSKEY) deserve to be commended for crafting a sound bill, and I want to thank them for their tireless efforts and work on this bill.

Mr. BENTSEN. Mr. Chairman, I move to strike the last word.

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Chairman, I rise in strong support of this bill, and I want to commend the chairman and the ranking member for working with a very difficult budget to put this bill together. I want to commend them for funding projects when they were facing at one point a 14 percent cut in the Corps' construction budget; yet they were able to figure out a way to do this.

Mr. Chairman, as a member of the Committee on the Budget, I offered the amendment when we were marking up the budget resolution to restore the Corps funds. Unfortunately, that amendment failed, but I was hopeful that the chairman would figure out a way to do this.

I also want to thank them for figuring out a way to increase funding for the Brays Bayou project in my district, which just saw tremendous flooding along the Brays and the Sims and other bayous. I appreciate what they did for the Port of Houston project, although we did not get as much money as we would have liked. We hope that will be resolved.

Mr. Chairman, I would like to enter into a colloquy with the chairman regarding the Sims Bayou Texas project. The Sims Bayou Flood Control Project which is currently under construction is funded at \$9 million in the committee's bill. This amount equals the President's fiscal year 2002 budget request, although it is \$3 million below the amount which the Corps of Engineers Galveston District tells us is necessary to keep the project on schedule to be completed by 2009. As I mentioned, the greater Houston area just suffered tremendous flooding as a result of Tropical Storm Allison, including many of the neighborhoods along the Sims in my congressional district, and the district of the gentlewoman from Texas (Ms. JACKSON-LEE); and I think it is important for the chairman and the members of the subcommittee to know, however, where the Federal project had been constructed and was complete, there was not flooding where there had otherwise been flooding in previous storms.

So the project does work and these projects do work. The chairman and the ranking member know that, and I think the rest of the Congress needs to know that as well.

I realize that the gentleman from Alabama (Mr. CALLAHAN) was faced with a very tight budget, and I appreciate the job that was done by the chairman and the ranking member, and the other members of the subcommittee. I would ask as this bill progresses, that the committee consider increasing the allocation for Sims to get it up to the amount that the Corps would like to have to have it stay on track if additional funds become available through the appropriations process or through a requested reprogramming from the Corps of Engineers.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. BENTSEN. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, we will be glad to work with the gentleman and the victims of Tropical Storm Allison. We are happy to work with the gentleman in that capacity to provide funding if funds become available.

I have talked to the gentleman from Texas (Mr. DELAY) about this, who is also from the Houston area. He is concerned about it. We intend to work with the gentleman from Texas (Mr. BENTSEN), and the entire Texas delegation to provide whatever assistance we can.

Mr. BENTSEN. Mr. Chairman, the majority whip, whose area includes the Brays, has been a very strong supporter of these projects. We have authored legislation on this, and I appreciate the work of the chairman and the ranking member, and the gentleman from Texas (Mr. EDWARDS).

Mr. Chairman, I rise in qualified support of H.R. 2311, the FY 2002 Energy and Water Appropriations bill.

When the Budget Committee, on which I serve, considered the President's proposal and produced a budget, I knew it was going to be very hard for Congress to fund many important water transportation and flood control projects. I recognize the incredibly difficult circumstances Chairman SONNY CALLAHAN, Ranking Member PETER VISCLOSKEY have endured in crafting this bill. I would also like to thank my good friend from Texas, Mr. EDWARDS, a distinguished Member of the Subcommittee, for all the help and information he and his office have provided me.

In light of the dramatic budget cuts proposed for the Corps, I applaud the Subcommittee for funding the Brays Bayou flood control project at the Harris County Flood Control District's capability—\$5 million. When completed, the Brays Bayou project will be a national model for local control, community participation, flood damage reduction in a heavily populated urban watershed, and the creation of a large, multi-use greenway/detention area on the Willow Waterhole tributary. The Brays project is a demonstration project for a new reimbursement program initiated by legislation I authored along with Mr. DELAY that was included in Section 211 of WRDA 1996. The program gives local sponsors more responsibility and flexibility, resulting in projects more efficient implementation in tune with local concerns.

I am very encouraged that the Brays project is on track to be fully funded at \$5 million in

Fiscal Year 2002, rather than \$4 million, as the Administration suggested. The project will improve flood protection for an extensively developed urban area along Brays Bayou in southwest Harris County including tens of thousands of residents in the flood plain, the Texas Medical Center, and Rice University. The entire project will provide three miles of channel improvements, three flood detention basins, and seven miles of stream diversion resulting in a 25-year level of flood protection. Current funding is used for the detention element of the project. Originally authorized in the Water Resources Development Act of 1990 and reauthorized in 1996 as part of a \$400 million federal/local flood control project, over \$20 million has already been appropriated for the Brays Bayou Project.

However, besides the admirable consideration the Subcommittee has given Brays Bayou, I believe this bill is spread too thin as a result of the extreme position taken by the Administration on the Army Corps of Engineers Construction account, which was slated to be cut \$600 million.

Instead the Committee has wisely lowered that cut to \$70 million below the 2001 level. When I introduced an amendment to remedy this in the mark-up of the budget, I warned that Congress would not stand for such a large shortfall affecting public safety and navigational water projects. I am relieved that much of the proposed cut was restored, and I commend the Chairman and ranking member for their effort.

I appreciate that the Committee saw fit, to fully fund the Administration's request for the Sims Bayou project. Unfortunately the Administration did not request the full amount the Corps says is necessary to keep the project on schedule. My constituents are adversely affected by this cut. According to the Galveston District of the Corps, without funding the full \$12 million capability of Corps for Sims, construction will fall behind schedule. This funding is needed because of the great risks people have faced and will continue to face until completion of the project in this highly populated watershed. The need was illustrated when Tropical Storm Allison caused great damage to thousands of homes in this watershed several weeks ago.

The project is necessary to improve flood protection in the extensively developed urban area along Sims Bayou in southern Harris County. The Sims Bayou project consists of 19.3 miles of channel enlargement, rectification, and erosion control and will provide a 25-year level of flood protection. Before the funding shortfall, the Sims Bayou project was scheduled to be completed two years ahead of schedule in 2009. We cannot be confident of that prediction unless Sims funding is raised to \$12 million in the Senate version and the Conference Report.

Flood control projects are necessary for the protection of life and property in Harris County, but improving navigation in our Port an integral step for the rapid growth of our economy in the global marketplace. Therefore Mr. Chairman, I am disappointed that this legislation provides only 30 out of the needed \$46.8 million for continuing construction on the Houston Ship Channel expansion project. When completed, this project will generate tremendous economic and environmental benefits to the nation and will enhance one of our region's most important trade and economic centers.

The Houston Ship Channel, one of the world's most heavily trafficked ports, desperately needs expansion to meet the challenges of expanding global trade and to maintain its competitive edge as a major international port. Currently, the Port of Houston is the second largest port in the United States in total tonnage, and is a catalyst for the southeast Texas economy, contributing more than \$5 billion annually and providing 200,000 jobs.

The Houston Ship Channel expansion project calls for deepening the channel from 40 to 45 feet and widening it from 400 to 530 feet. The ship channel modernization, considered the largest dredging project since the construction of the Panama Canal, will preserve the Port of Houston's status as one of the premier deep-channel Gulf ports and one of the top transit points for cargo in the world. Besides the economic and safety benefits, the dredged material from the deepening and widening will be used to create 4,250 acres of wetland and bird habitat on Redfish Island. I want to take this opportunity to urge those who will be conferees on this legislation to fund the Port of Houston project to its capability. This project is supported by local voters, governments, chambers of commerce, and environmental groups.

I thank all the subcommittee members, Chairman, Ranking Member, and especially Representative EDWARDS for their support and their work under tough budgetary circumstances.

Mrs. EMERSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today to commend the gentleman from Alabama (Mr. CALLAHAN), chairman of the Subcommittee on Energy and Water, and the gentleman from Indiana (Mr. VISCLOSKEY), the ranking member, as well as the staff for doing a tremendous job in writing this bill under very, very challenging circumstances. They have done a tremendous job.

Mr. Chairman, I also want to make mention, as the gentleman from Texas (Mr. BENTSEN) did, about restoring the funding for the Corps of Engineers, which is very critical for my district, which has the largest amount of Mississippi River frontage in the country. The work that the Corps does with regard to flood protection is vital to many people in my district.

I want to make mention of the excellent job that the complete staff and our chairman did with regard to hazardous waste worker training. It is a very vital issue. I have a lot of people who actually have worked in the facility at Paducah, Kentucky, who have faced many challenges; and the work that is ongoing there requires a lot of training for protection of lives.

But my real purpose in standing here today is to talk about the language in the bill that prevents the implementation of the egregious plan by the Fish and Wildlife Service which would increase flood risk and eliminate transportation on the Missouri River. I can understand the concerns over the endangered species that this plan is designed to protect, but I think the cost is too high. I am not willing to displace

thousands of farmers along the Mississippi and the Missouri Rivers. I cannot find a good way to explain to my farmers that they have to move because some fish upstream are not happy with their living conditions. It is not possible for me to do that.

This plan calls for a controlled release, but one cannot control the release and ensure that there will be no flooding. Early this month in 3 days the river rose from normal stage to flood stage from one end of Missouri to the other. The water released from Gavins takes 5 days to get to Kansas City and 10 days to get to St. Louis. Once released, the water is not retrievable. The "spring rise" prescribed by Fish and Wildlife would have added to the flooding experienced in Missouri earlier this month.

The Missouri River does not flow through my district, but the Missouri River feeds the Mississippi River and provides as much as two-thirds of its flow during dry years. Mississippi River transportation is not minor and is very, very important to my constituents.

I am also concerned about this plan because from an energy standpoint we are having an obvious crisis right now with the delivery of energy, and the Fish and Wildlife plan calls for low flows during the summer during peak power demand, reducing the availability of clean hydropower in the summer. Given the investment that our bill makes in renewables, I do not believe that we should implement a plan that will hinder hydropower production.

The Missouri Department of Natural Resources, which is an independent agency within Missouri, and with whom I did not agree on many occasions, as well as our Democratic Governor Bob Holden, as well as the entire Missouri delegation, Republicans and Democrats, the Senate and House, all reject the Fish and Wildlife Service plan, as do many others up and down the Mississippi River and the Missouri River all of the way down to New Orleans.

Mr. Chairman, I will listen to the Missouri Department of Natural Resources which says that the science behind this plan is not accurate and certainly will not do anything to help these species. Frankly, I reject the notion that the Fish and Wildlife Service is always right and our experts at DNR are wrong, and I clearly oppose that plan and hope that we can reach a compromise that is in the best interest of everyone involved.

Mr. GREEN of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage the chairman in a colloquy and talk about the critical importance to the people of Harris County, but before I do, I thank the gentleman from Alabama (Mr. CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKEY) for their efforts on flood control and drainage projects. I thank the gen-

tleman from Texas (Mr. EDWARDS) who serves on the subcommittee for his efforts over the years.

Mr. Chairman, I am concerned about the level of funding for flood control projects, particularly the Greens Bayou and Hunting Bayou, all of which flow through my district in Harris County. Greens Bayou flooded nearly half of the 30,000 homes that were damaged by Tropical Storm Allison, while Hunting Bayou affected hundreds of homes as well. These two bayou systems need to be considered for increased support since the recent floods, including funding for continued improvement to both the Greens and the Hunting Bayou systems.

Mr. Chairman, to see the estimated \$4 billion-plus damage, and the loss of 23 lives, we on this floor realize the need to continue the Corps of Engineers projects not only in my district, but all of our districts throughout the country. In light of the recent severe flooding from Tropical Storm Allison, I ask the gentleman from Alabama (Mr. CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKEY) for their assistance to ensure that funding is restored as the bill moves through conference.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Texas. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, we are happy to work with the gentleman and the entire Texas delegation with respect to their needs. We have discussed this with the majority whip, and he is concerned about some of the problems that are facing Texas. Yes, we will do everything we can to facilitate their needs for these very important projects.

Mr. GREEN of Texas. Mr. Chairman, I thank the gentleman. We have worked together, the seven Members of Congress who represent Harris County. The Greens Bayou I share with the gentleman from Texas (Mr. BRADY), and we have been out to see the devastation of our constituents, along with the gentleman from Texas (Mr. DELAY). I appreciate the efforts of the gentleman.

Mr. GREEN of Wisconsin. Mr. Chairman, I move to strike the last word for the purpose of entering into a colloquy with the gentleman from Alabama (Mr. CALLAHAN), the chairman of the Subcommittee on Energy and Water.

Mr. Chairman, as the chairman is aware, on September 11, 2000, an agreement was reached between the State of Wisconsin and the Army Corps of Engineers to transfer 17 locks along the Fox River to the State of Wisconsin for ownership. Under the memorandum of agreement signed by then-Governor Tommy Thompson and Assistant Secretary for the Army Joseph Westphal, the Army Corps of Engineers is to provide the "full closure costs" of \$10 million to the State of Wisconsin upon the transfer.

This bill that we are considering today has allocated \$5 million to the

Army Corps for the transfer of the locks to the State of Wisconsin. Unfortunately, without the full payment of \$10 million, this transfer and decades of negotiations will be placed in jeopardy. It is essential, in my view, that full funding for the transfer be included in the fiscal year 2002 appropriation bill or else the local and State matching grants for this project will be jeopardized.

This memorandum of agreement was a promise by the Federal Government to the State of Wisconsin, and I do not believe that we can shirk this responsibility.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Wisconsin. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I want to tell the gentleman that we applaud this historic agreement that the Governor and the State of Wisconsin have reached with the Corps of Engineers, and it is our intention to see that this commitment of the contract is fulfilled. We know the importance of it because when the gentleman first came to us and explained the importance of it, we, at the gentleman's insistence, put the first \$5 million in there.

We thought it could be a two-step project; but if this is going to interfere with the project, it is my intention to find somewhere in the budget the additional \$5 million so this project can move forward as expeditiously as possible.

□ 1515

Mr. GREEN of Wisconsin. I appreciate the chairman's willingness and commitment to make this transfer a reality. I congratulate him for the hard work that he has done and his staff has done on this bill. I look forward to working with him on this important project.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, my first order of business is to thank the chairman and the ranking member of this subcommittee for their very hard and collaborative work and to give them some good news, that is, that the Army Corps of Engineers works, the funding on these projects works, for even though I come from Houston which is flood worn and weary, the areas where the Army Corps of Engineers and the funding from the Subcommittee on Energy and Water Development perform their task, I am very pleased to report unbelievably that there was no flooding. I am very grateful for that. My constituents likewise have said the same. That shows us that the areas that Houston did not have its work completed are in dire need.

And so I was to offer an amendment today giving an increase in funding to the Army Corps of Engineers of some \$20.5 million, but knowing the hard work of this committee and the tightness of the efforts that it is making, I

will not offer that amendment but offer to say that we can stand some additional assistance. Although I am gratified for the \$5 million for the Brays Bayou and the Sims Bayou which is the bayou, Mr. Chairman, that had progress on it where it was completed to a certain point and that area did not flood. We now have some \$9 million in the budget with a capacity for \$12 million. But there are areas that did flood, the Hunting area, the Greens Bayou area that flowed even though mostly into my colleague's district, had an impact on some of our neighboring districts.

I am very interested in working with this committee and asking the chairman and the ranking member for their assistance as we provide the potential necessary dollars to either expedite or continue working on projects that have obviously worked.

I might say, Mr. Chairman, in addition, that the Army Corps of Engineers was very visible during the aftermath of the flood, taking aerial views. The general from the Dallas area who is over the whole region came in, which shows me that this is a worthwhile investment. I would like to enter into a colloquy with the chairman to ask him to provide us with assistance, in particular to monitor and work with us on Sims Bayou; to monitor and work with us on Hunting Bayou, and as well my colleagues have already mentioned the bayous in their community, we all work as a team, but to work with us in the Houston and Harris County area along with, of course, as the gentleman mentioned, the majority whip who has an interest obviously in these issues.

Mr. CALLAHAN. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Alabama.

Mr. CALLAHAN. I thank the gentlewoman for yielding. Yes, Mr. Chairman, we will be happy to work with her in any capacity we can and with the entire delegation from Texas. The gentlewoman has water needs in Texas now, and it is our full intent to do everything we can to assist her in those projects to make certain that, number one, we preclude flooding in the future; and, number two, that we repair any damage that was done during the most recent floods.

Ms. JACKSON-LEE of Texas. I thank the gentleman very much. I would offer to say to the ranking member that I thank him for his work. I look forward to working with his staff.

Mr. Chairman, I yield to the gentleman from Indiana to comment on these efforts. We have already worked with him and his staff. I want to thank him. I would appreciate his assistance as well as we move through this process with the funding for bayous that have yet been completed or need additional assistance.

Mr. VISCLOSKEY. We would be happy to continue to work closely with the gentlewoman.

Ms. JACKSON-LEE of Texas. I thank the ranking member very much.

With that, Mr. Chairman, I would simply say that these dollars are well needed, they have been well invested, we saw the impact of the funding sources of the Army Corps of Engineers, but we are still suffering. We look forward to working with this Congress to help us as we try to improve those conditions.

Mr. BISHOP. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of H.R. 2311, the energy And Water appropriations bill. I commend the full committee, subcommittee ranking member VISCLOSKEY, and especially Chairman CALLAHAN for all their hard work, particularly on the Tri-Rivers project. Commercial barging on the Appalachian, Chattahoochee, and Flint Rivers system is an important issue for our region's economic infrastructure. I am pleased to see the increased level of funding that this committee has appropriated. Recently, I traveled to Georgia and Florida with Members of the House and Senator GRAHAM of Florida to observe the Tri-Rivers process firsthand. This is a very, very intricate, sensitive area and issue, particularly with Representatives from the three States of Alabama, Florida and Georgia.

The ports on these rivers provide jobs and revenue, particularly for my area of southwest Georgia. The ports of Bainbridge and Columbus generate 548 jobs and over \$15 million in wages. These jobs have a direct impact on the economies of small river towns like Bainbridge, Georgia. Revenue generated at both of the ports, that is, Bainbridge and Columbus, total over \$40 million and in turn contribute over \$1 million in State and local taxes. The barge system has many economic and environmental advantages that are often overlooked. Barging is energy efficient. An inland barge can transport more materials using far less fuel than other means of transport. A navigable river system provides a competitive alternative that helps reduce rates for other modes of transportation. These rivers must remain navigable if we are to continue to see these economic rewards.

In the past, the Corps of Engineers has done an environmentally messy job and caused a great deal of anguish in Georgia, Florida and Alabama, particularly in the Appalachian, Florida, area. We know now that better management of system water levels upstream by the Corps and better care in the disposal of the waste from dredging will help all of us have a mutually enjoyable use of the river system. The money that is appropriated in this bill will help ensure that dredging has a minimal environmental impact.

It is my vision to see continued economic success for the communities that take advantage of the Appalachian, Chattahoochee, and Flint Rivers as one of their means of transportation. I encourage my colleagues today to support rural industry

and efficient transportation by voting yes on this energy and water appropriations bill.

I thank the chairman again; I thank the ranking member and all those who support this bill because I think it is much needed and it is a step forward.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 102. Except for the historic scheduled maintenance dredging in the Delaware River, none of the funds appropriated in this Act shall be used to operate the dredge McFARLAND other than in active ready reserve for urgent dredging, emergencies and in support of national defense.

SEC. 104. (a) CONVEYANCE AUTHORIZED.—The Secretary of the Army shall convey to the Blue Township Fire District, Blue Township, Kansas, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to a parcel of land consisting of approximately 4.35 acres located in Pottawatomie County, Tuttle Creek Lake, Kansas.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(c) REVERSION.—If the Secretary determines that the property conveyed under subsection (a) ceases to be held in public ownership or to be used as a site for a fire station, all right, title, and interest in and to the property shall revert to the United States, at the option of the United States.

SEC. 105. For those shore protection projects funded in this Act which have Project Cooperation Agreements in place, the Secretary of the Army is directed to proceed with those projects in accordance with the cost sharing specified in the Project Cooperation Agreement.

AMENDMENT NO. 4 OFFERED BY MR. TANCREDI

Mr. TANCREDI. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. TANCREDI:

In title I, strike section 105 (relating to shore protection projects cost sharing).

Mr. TANCREDI. Mr. Chairman, in his budget request to Congress, President Bush proposed reversing the cost-share ratio for beach replenishment projects from 65 percent Federal share/35 percent local share, to 35 percent Federal/65 percent local. The energy and water appropriations bill includes language to block this proposal. The Tancred-Blumenauer amendment would strip the bill of this fiscally damaging and environmentally questionable legislative rider.

In an interview with the Associated Press yesterday, Office of Management and Budget spokesman Chris Ullman said that the White House continues to believe that the Federal Government should spend less to build beaches. "Since most of the benefits are to localities and local beachgoers, it seems reasonable that they would pay the majority of the costs of sustaining those beaches."

The Army Corps of Engineers recently began the world's largest beach replenishment project, to provide 100-

foot wide beaches along all 127 miles of New Jersey's coast. This is at an average cost of \$60 million per mile. Right now, the Federal Government is obligated to pay the majority of that cost, or 65 percent to be exact. What is worse, most artificial beaches wash away within 1 year of replenishment, leaving taxpayers' money and environmental damage left in their wake, so to speak.

We encourage you to support the Bush administration's effort to save tax dollars and cut environmentally questionable spending by removing this legislative rider on beach replenishment cost-sharing.

The current Federal policy of subsidizing beach projects, by the way, is a 50-year agreement with towns. That is unsustainable. That means 65 percent of the cost we would be required to fund for 50 years at current levels.

The Duke University program for the study of developed shorelines estimated that the cost to pump sand on just four Atlantic coast States, Florida, South Carolina, North Carolina and New Jersey, will be more than \$4 billion.

Many of these beach communities are privately owned and privately renourish their beaches. They pay for the projects through hotel-use taxes and progressive property tax assessments according to how close the property lies to the beach. Many, many of these areas, of course, are some of the most expensive areas, most expensive pieces of property that you can purchase in the United States of America. To suggest that the Federal Government has the responsibility to pay for 65 percent of the cost of pumping sand back on that beach every year is ridiculous.

Let me quote from a statement of the administration's position on this that they have just put out:

"The administration appreciates the committee's efforts to address administration funding priorities for the Army Corps of Engineers civil works program. However, the administration is concerned about the increase of over \$568 million over the request for Corps programs. We can have a strong water resources program at the funding level proposed in the budget by establishing priorities among projects. The administration is particularly concerned that the bill contains approximately \$360 million for about 350 specifically identified projects and activities that were not included in the President's budget. We urge Congress to limit the number of projects and to focus funding on those projects that address the Corps' principal mission areas.

"We are disappointed that the committee has included a provision that would preclude the Corps from carrying out in fiscal year 2002 the administration's proposal to increase local cost-sharing for the renourishment phase of ongoing shore protection projects. This cost-sharing proposal would help ensure that the Federal Government's long-term renourishment obligations

do not crowd out other important funding needs. We urge the Congress to reconsider this proposal."

Mr. Chairman, I recognize that doing anything on this floor especially in this bill that jeopardizes some little tiny part of the Corps of Engineers budget is a highly dangerous thing for a Congressman to do. I recognize there are many, many people here who benefit as a result of the largesse of the committee and whose projects are sacred to them. But this is going too far. Once again, this is not necessary. This is not requested by the administration. To ask the country, to ask the Federal taxpayer to support replenishment of these beaches every year, year in and year out for the next 50 years at these costs is just not acceptable.

Mr. CALLAHAN. Mr. Chairman, I rise in strong opposition to the amendment. I think it is rather ironic that the gentleman offering the amendment represents a State that has no shoreline, no ocean, and no Gulf of Mexico which he should be concerned about it. But his real message should be going to the authorizing committee. This process was established by the authorizing committee. It has been in process for a great number of years. It is beginning to work. It even is a cost-saving effort for the Corps of Engineers. In most every case, instead of having to go to the expense to haul all of this sand out to some foreign place in the ocean and dump it, they are able to get the white sand and replenish the beaches.

We have spent a great deal of effort and money preserving the beaches in most every State that has a shoreline, including the State of Florida. I do not want to do anything that would do damage to the beaches in the State of Florida. I want to preserve them, and I want to make absolutely certain that the Corps of Engineers understands that this cost-saving project for the Corps should not be borne by the State of Florida in the 65-35 ratio that they are talking about.

Mr. Chairman, the beaches in Florida are probably the most beautiful in the world, especially in the panhandle of Florida next door to my district.

□ 1530

I would not do anything to destroy those beaches. I want to protect them. I want to enhance them, and I think the protection and enhancement comes from beach nourishment. It is also applicable to the State of Alabama, at Dauphin Island in Alabama and Gulf Shores, Alabama, which also has beautiful beaches.

It is applicable to the Great Lakes. It is applicable to the State of New Jersey. We are doing something positive. We are taking the sand that we are moving from the deepening of channels, putting it on the beaches and replenishing beaches that have been washed away by hurricanes, by natural erosion, and making our beaches beautiful and making them places where people can go and enjoy sometime in the water and sometime in the sun.

So we should not be doing anything to diminish the type of advancement that the Corps is making, but most of all we should not be doing it here. We are not the authorizing committee. We are simply the Committee on Appropriations. We have spent a great deal of money in appropriations on this committee providing the necessary monies to the Corps of Engineers to enhance these projects.

And I certainly understand the gentleman from Colorado (Mr. TANCREDO) not being concerned about how beautiful the beaches are in Florida or whether or not they should be preserved or whether the beautiful beaches of New Jersey or whether the beaches on the Great Lakes should be preserved. What if we went out to Colorado and said that we are not going to allow any snow, we are not going to allow any water to roll down those beautiful rivers? What if we were going to have to do something to enhance the rivers of Colorado? He would be here saying, let us do this, let us do that, and I would be saying, yes, sir, we are going to do that; we are going to help him preserve his beautiful river system in Colorado. And we would ask his assistance in helping us to preserve the beautiful beach systems that the bordering States of the oceans and Gulf of Mexico and the Great Lakes have.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to join the chairman in strong opposition to this amendment. First of all, coastal shore protection projects are equivalent to flood protection for inland communities. This proposal places storm damage prevention and shore protection projects at a cost-sharing disadvantage with comparable inland flood control projects. It will disproportionately affect poor communities which will be unable to raise adequate funds for these projects. It also violates the cost-sharing agreements already in place for some ongoing shore protection projects. It abrogates existing, ongoing, long-term contracts with non-Federal sponsors, and it is inconsistent with the agreed cost-sharing adopted by the WRDA legislation of 1986.

Mr. Chairman, I am strongly opposed to the gentleman's amendment.

Mr. PALLONE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to speak strongly against this amendment for several reasons. First of all, I want to address my comments to some of the comments that the gentleman from Colorado (Mr. TANCREDO) made. I need to stress, first of all, Mr. Chairman, that if this amendment were to pass, I assure everyone that the shore protection beach replenishment projects in New Jersey and probably throughout the country would simply not take place. It is erroneous to assume that the towns that are being asked to foot the bill, and in this case under this amendment the additional costs to pay

for these beach replenishment projects, would be able to pay for them. They simply would not.

I live in a municipality that has about 30,000 people. I represent some towns that have less than 2,000 people. They barely are able to get the money together now to pay for the percentage that they have to pay with the Federal Government paying most of the cost. If they had to double or triple that under the funding formula that the gentleman from Colorado (Mr. TANCREDO) is proposing, the beach replenishment projects would simply not take place.

Let me say that in my district where one of these projects basically extends about 50 miles along the shoreline, that with a very small exception, probably of that 50 miles maybe no more than one or two, we are talking about public municipally owned beaches. We are not talking about mansions and big homes and wealthy Gold Coast municipalities here. The town that I live in has 5 miles of that 50-mile coastline that is affected by a beach replenishment project. We are what we call an urban-aid project in New Jersey, which means we are one of the poorer towns in the State. We have the second poorest town in the State. I will not mention the name. I do not need to. That is also part of this project. We are not talking about rich areas.

This will not happen. These projects will not take place if this amendment were to pass.

Now let me talk about two other things that I think are misleading here with regard to this amendment. First of all, I think it should be understood that the current beach replenishment program is done in a way to save the Federal Government money. Not cost the Federal Government more money, but save the Federal Government money. I will say why.

The Army Corps of Engineers goes through a very strict cost benefit analysis in deciding which of these beach replenishment projects to fund, and they weigh the costs and the benefit to the Federal Government. In every case, the cost to the Federal Government has to be significantly less than the benefit. What is the cost to the Federal Government if they do not do the projects? Well, we know about FEMA. We know about emergency disaster declarations after a hurricane or a tidal wave or whatever it happens to be.

We have a lot of hurricanes along the New Jersey coast. Every time there is a hurricane, there is an emergency disaster declaration. The Federal Government, under FEMA, has to come in and spend millions and millions of dollars to replace and rectify the situation and the damage that occurs.

The Army Corps of Engineers does these beach replenishment projects not because they want to give somebody a nice beach to sit on but because they know that they do not have to come in with a disaster declaration because the storm does not affect the upland area,

the infrastructure, the utilities, the roads, that the Federal Government would have to come in and bail out.

This is done to save the Federal Government money that they would have to spend through a disaster declaration. It makes no sense not to do these projects from the Federal Government's point of view. It is cost effective.

Lastly, I want to make one other point, Mr. Chairman. It has not been said yet but I am sure I am going to hear from some that somehow these projects are not good for the environment. That is simply not true. There is strong indication that when beach replenishment is done it is a good thing for the environment. We have been able to do the beach replenishment so that the surfers and the bathers and the fisherman are not negatively impacted. It can be done and it has been done, and it has to be done under the current law so there is access to the beaches for the public and so that the beaches are done or sculpted in a way that the people that use the ocean, whether they be fisherman or surfers or whatever, can continue to do so.

So do not let anybody tell me that a vote on this amendment is a good environmental vote. That is simply not true. I am one of the staunchest defenders for the environment in the House of Representatives. A vote against this is a good environmental vote. I am going to tell everybody I know who thinks that somehow this is something that relates to the environment, it is not. Beach replenishment is good. It helps the Federal Government cut costs. It is good for the communities and it is good for the environment.

Mr. WELDON of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Tancredo amendment, which removes the protections in the bill for existing projects and allows for contracts the government has signed with communities across the Nation to be broken. The Tancredo amendment singles out existing beach renourishment, storm damage prevention projects for special adverse treatment. This amendment would cause serious harm to a project already underway in my district, Brevard County.

The Federal Government caused most of the erosion along the beaches in Brevard County when they constructed the Federal inlet in 1953. This inlet was to create Point Canaveral and a facility for the U.S. Navy so that they could take part in testing of their ballistic missile program.

Indeed, one can say the Federal inlet in Brevard County was part of our national effort to win the Cold War. Studies have been completed by the Corps of Engineers, the county, independent experts and, yes, even the U.S. Department of Justice and all have found the Federal Government largely at fault.

In fact, the Justice Department settled a case brought by over 300 coastal

property owners because they knew the Federal Government was guilty. That agreement calls for this project to be completed.

There are serious environmental issues here as well. Brevard County beaches are home to the largest concentration of nesting and endangered sea turtles in North America. Ten percent of the entire sea turtle nesting population in North America lays its eggs on these beaches. Throwing a roadblock in front of this project will further threaten this endangered species and contribute to more habitat erosion.

In short, the formula that currently exists is the proper formula, and I believe that this amendment would do serious harm.

Mr. BROWN of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. WELDON of Florida. I yield to the gentleman from South Carolina.

Mr. BROWN of South Carolina. Mr. Chairman, I rise in strong opposition to this amendment to reduce the Federal Government's investment in beach renourishment.

This proposal is not only shortsighted but it clearly violates today's agreements that local communities have arranged with the Army Corps of Engineers. To walk away from these commitments is simply wrong. How can we expect the coastal communities in South Carolina and other States to successfully budget for other major infrastructure investments if we arbitrarily increase their local cost share by over 80 percent?

I support reigning in unnecessary government spending, but our shore protection program, Mr. Chairman, is absolutely necessary for us to maintain the Federal Government's responsibility for coastal hazard and erosion protection.

If we do not honor the current Federal-local cost-sharing formula, we should know the communities in my district, including Myrtle Beach and Folly Beach and 150 miles of the shoreline of South Carolina will be facing an enormous financial hardship, so much so that it jeopardizes the progress we have made in improving our water and waste water infrastructure, roads, and bridges.

Without the current cost-share partnership, we risk the preservation of the beautiful beaches that attract over 12 million visitors throughout our country. Our beaches belong to everybody. They provide a wonderful source of recreation for both young and old Americans. We hope our responsibility will be seen to help preserve these great natural resources.

Contrary to the programs' critics, beach renourishment is a sound investment. I urge my colleagues to reject this ill-advised amendment.

Mr. WELDON of Florida. Mr. Chairman, it took 15 years in Brevard County to develop this formula and this agreement. This amendment would set back years of work. I strongly encourage all of my colleagues to keep the

faith that has been established between the Federal Government and all of these communities throughout the country. The provisions, the language that the chairman and the ranking member have put in this bill, I think, are very wise in grandfathering the existing programs under the current formula; and I would encourage all of my colleagues to reject this amendment.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto be limited to 20 minutes, the time to be equally divided between the proponent of the amendment and a Member opposed.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. BLUMENAUER. Mr. Chairman, reserving the right to object, I just want to make sure that I am going to have a chance as a sponsor of the amendment to have my opportunity to make a presentation.

Mr. TANCREDO. Mr. Chairman, will the gentleman yield?

Mr. BLUMENAUER. I yield to the gentleman from Colorado.

Mr. TANCREDO. Mr. Chairman, I assure the gentleman from Oregon (Mr. BLUMENAUER) that I will yield time to him.

Mr. BLUMENAUER. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. The time will be equally divided between the sponsor of the amendment, the gentleman from Colorado (Mr. TANCREDO), and the gentleman from Alabama (Mr. CALLAHAN) will control the time in opposition.

The Chair recognizes the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in response to some of the issues that have been brought up here, especially by my friend, the gentleman from New Jersey (Mr. PALLONE), who suggests that there is no environmental concerns that should come up as a result of this and that anybody that suggests there is an environmental problem is simply off base, of course, he is therefore saying that the following organizations, American Rivers, Earth Justice Legal Defense Fund and Environmental Defense, Friends of the Earth, League of Conservation Voters, National Wildlife Federation, Sierra Club, all of these people do not know what they are talking about when it comes to environmental issues and whether in this particular case especially they are simply off base.

Well, I do not certainly consider myself to be an expert in this particular area but I would say that there is some cause for concern with regard to the environmental issues developed by this beach replenishing program.

Federally subsidized beach projects mainly benefit wealthy vacation condo owners and tourism. The gentleman

from Myrtle Beach, South Carolina (Mr. BROWN) referred to the fact that 12 million visitors a year enjoy these particular areas.

□ 1545

I think that is wonderful. Now, in fact, who is benefiting from those 12 million visitors? It is, of course, the communities that are adjacent to these beaches. Those communities should be responsible for the majority of the cost of replenishing the beaches. That is all we are saying here. We are agreeing with the administration.

Mr. Chairman, I yield such time as he may consume to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the courtesy of the gentleman in yielding time to me. I am pleased to join him in cosponsoring this amendment.

Mr. Chairman, I think the gentleman had it right when he mentioned that there is at least an argument when you look at the major environmental organizations around the country who suggest that this Congress ought to have a debate like this on this floor on the environmental and economic impacts of these massive beach replenishment programs.

With all due respect to our other friend from Florida, it is true that the Federal Government at times has created these problems. It is because we are in a vicious cycle here. We engineer our beaches, we fortify them, we put up jetties, we accelerate the process of coastal erosion, and we make the problem worse.

Then we come forward with these interesting projects. We have watched over the years as the Corps of Engineers and this Congress has expanded dramatically the sweep of the Federal involvement in beach nourishment and replenishment.

I think we ought to take a deep breath, take a step back and support this amendment, and give this administration an opportunity to pursue an initiative that is both environmentally sensitive and is fiscally responsible.

When we look at these massive projects, we have authorized one and two-thirds billion dollars in the last decade alone. In the State of New Jersey, where my good friend mentioned a moment ago it was of concern to his district, well, it is. If you look at beach nourishment costs in New Jersey, it is \$60 million per mile.

In WRDA, I dare say there were very few Members on this floor who understood the massive project that was slipped in without significant debate for a 14 mile stretch of beach in Dare County, North Carolina, for \$1.8 billion, a commitment over the next 50 years. I would dare say that a massive project on this scale merits discussion on the floor of this Chamber, but we do not have it. I was a member of the authorizing committee. It was news to me. I dare say it was news to other Members here.

It is not a benign process akin to snow in the gentleman from Colorado's district, or, with all due respect, that

it is just someplace that we have to put the beach spoils, the dredging spoils. This saves the Federal Government money.

Take a look at the record. Mr. Chairman, there have been exposes; in fact, there have been journalistic exposes dealing with the State of Florida with the massive amount of ecological destruction. There is not just spoils with white sand that we would have to pay somebody to take over. Oftentimes we go out and we disturb sensitive ecosystems for dredging materials that we end up putting in these areas.

If you look at the cost factors, noted Duke geologist Orrin Pilkey, a recognized expert in this area, points out that usually beach nourishment projects cost twice what the cost estimate is, and it ends up being about half as effective.

We could look in Ocean City, Maryland, where the Army Corps of Engineers budgeted to use 15 million cubic yards of sand over the next 50 years of beach replenishment, but in the first 3 years of that project the Corps had used one-third of the total sand allocation. I am blanking right now on the project, and I can get it for you, where it has been on average one a year on the east coast.

There are problems here of significant magnitude. It is not ecologically benign. It is extraordinarily expensive, and we are facing a situation where FEMA has commissioned studies that indicate over the next 60 years we are going to have 25 percent of the structures within 500 feet of the ocean coastline subjected to erosion and damage. That is without taking into account the impact of global climate change.

Mr. Chairman, I think this is an opportunity for people who care deeply about the environment to join with people who sympathize with the members of this committee who do not have enough money to solve the problems and allow the Bush administration to see if they can come up with a better cost formula. The Democrats ought to be able to submit to this. It is something also that the Clinton administration wanted to do. I think this is an important issue.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. SHAW). No man in this body has been more vocal and outstanding in the preservation of beaches than the former mayor of Fort Lauderdale.

Mr. SHAW. Mr. Chairman, I thank the gentleman for yielding me time. I want to congratulate the chairman of the full committee as well as the ranking members of the full committee and subcommittee for recognizing the importance of beach renourishment.

I have heard some figures thrown out here today that make absolutely zero sense. \$60 million a mile? I know of no beach renourishment anywhere in the

country, and I checked with the gentleman from New Jersey, and he said that is absolutely preposterous.

I listened to the gentleman from Colorado where he said he is no expert on the particular subject. He has brought the amendment here, and he has quoted some various environmental organizations, some of which have credibility, some of which I think are somewhat debatable.

But, in any event, let me ask the question to any environmentalist here in the Chamber: I have beaches that are nothing but rock. Is that an environmentally sensitive area that should be protected? These were naturally covered with sand. Now the sand is gone. In Boca Raton, Florida, a whole strip is nothing but rock. You go down into the southern part of Broward County and Dade County, you are seeing the same thing. These beaches need to be renourished.

If one is concerned about the turtle and reproduction of the turtle, they do not lay their eggs in rocks; they lay them in beach sand. There is great sensitivity as to the time we do the beach renourishment. It is very strictly regulated as to the breeding seasons of the turtles, so you do not destroy their natural habitat.

We talk about FEMA and 500 feet within the beach. I can tell you, the ocean is coming right up to many of the structures, and they are going to be destroyed if we do not get back involved and stay involved in beach renourishment.

The right of contract, the word of the Federal Government, the obligations of the government, these would all be wiped out with this senseless amendment.

This amendment must be defeated. I urge all my colleagues to vote against this amendment.

I would say in closing, view the beaches of this country as a long national park. We heard that the local communities should pay because they are the ones benefiting from it. Do you want to make the same argument about our national park system? I doubt it. It is there for all Americans.

Over half the Americans in this country do their vacationing at the beaches of this country. Let us keep our beaches safe. Let us keep them environmentally where they should be.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Mr. Chairman, I thank the gentleman very much for yielding me time.

I want to say to my good friend from Colorado (Mr. TANCREDO), I generally agree with him on just about every vote we have; but on this one he is totally wrong. I want to take a different perspective.

Not talking about the environmental issues, I must say to the gentleman from Oregon, I have great respect for you also, though I disagree, but Dr. Pilkey is an extremist. I do not have

the time to get into why I feel he is an extremist, but he is.

Let me very briefly say that what we are talking about is the economy of these beach areas, the people that pay taxes, the people that want to do for their families. That is really what it comes down to.

Let me give you an example. In Dare County, which the gentleman made reference to earlier, the Corps of Engineers says for every \$1 spent on beach renourishment in Dare County, it will return \$1.90 cents to the Federal Government. So any time we can make those kinds of investments, we need to do that. We need to partnership with the people of this country that pay the taxes.

So I want to say to the chairman and the ranking member, thank you very much for this effort. I want to close in saying, Mr. Chairman, that beaches are this country's economic engines. Four times as many people will visit beaches this year as will visit the national parks. That is telling you how important the beaches are to the American people.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I too rise in opposition to this amendment. It has been stated that four times as many people visit our beaches as visit the national parks in our country.

What do people dream about? They dream about going to the beach. If they talk about their retirement, they talk about being on a beach someplace. People want to basically be on beaches. We have many beaches in Delaware that are probably as popular in these buildings around here as any beaches in the entire country. Foreign visitors want to come to beaches in the United States of America.

There is tremendous economic production from the beaches that we have across this country, a huge tax benefit, up to 180 times the Federal share that is involved in paying for the beach replenishment which we have. If we did not have this replenishment, it would be almost impossible to have these dreams, to have the ability to offer our beaches to people around the United States of America.

It also protects our migrant birds, which come into my State and come into some other States. It protects us from major storms. And there is huge population growth across the United States of America from our beaches back inland, because people like to be able to access and go to the beaches of our country.

This, unfortunately, is an amendment which is wrong-headed in terms of what it does, and we should defeat it.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to say to this body and to the world that when I re-

tire, if I ever do, I intend to spend a great deal of time in southern Florida on my boat; and I want to view these beautiful beaches as I patrol the waters of the Atlantic and the Gulf Mexico and the Keys, and I want to go down in history, if I leave any mark on this Congress, as the man who saved the Florida beaches. I think the fact that I am going to go down in history as the man who preserved the beauty of the Florida beaches is a good compliment to the service that I have had in this Congress. So I look forward to that reputation.

Mr. Chairman, I reserve the balance of my time.

Mr. TANCREDO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have a feeling that regardless of what happens with this amendment, even if it were to pass, that my friend and colleague, the gentleman from Alabama (Mr. CALLAHAN), will be able to enjoy a very pleasant retirement on the beaches.

The fact is that, of course, we are not talking about anything here that is going to eliminate the beaches of the Nation. It is just crazy to suggest that if we would allow the administration to go back to a 35-65 split, that, all of a sudden, all the beach property in this Nation is gone. Nobody would take care of it. The communities that live alongside of it, the homes that are built alongside of it, it is not their responsibility; it is somehow ours, and if we did not kick in 65 percent, it all disappears.

Of course, that is not accurate. It is not what this amendment is intended to do, but it is typical. I know any time we are trying to cut 10 cents out of the budget around here, it is almost the most dire consequence we can possibly think of that we use in response to the request to cut the funds.

This is not even a request to cut. We will still spend the money; it is just who is going to be responsible for it. It is not even mandating that we go to the 65-35 split, 65 local. It is saying let us let the administration have the option of managing this. It is not mandating a thing in here.

Mr. Chairman, I yield the balance of my time to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I would suggest that if people really are serious about preserving the beaches, that maybe this Chamber could be more serious about global climate change, the rising level of oceans, because what we are talking about with beach nourishment, if what the scientific experts tell us is accurate, we may be fighting an uphill battle.

I would duly suggest that maybe suggesting allowing the Bush administration an opportunity to revisit these issues is not something that is a radical and extreme position. It is one of these areas where there is a convergence, I think, of fiscal conservatism and thoughtful environmentalism.

It is true that sometimes there are rocks that occur on beaches. There is a natural ebb and flow. We have it in beaches in Oregon. What we have done, however, in our infinite wisdom, is we continue to fortify the beaches, to engineer them, to put up jetties, to put in sand, to disrupt the process, so actually it ends up making it worse over time.

□ 1600

So the Federal taxpayer is on the hook. We mess up the natural process of restoring the beaches, and when we are further looking at changes that are a natural part of the environmental process, we just make it worse.

In Oregon, we had a situation with the senior Senator from our State having beachfront property that is being eroded, and there was a great hullabaloo because there was an effort to try and restore and fortify and wall off that portion of the beach. We made it a difficult public policy decision that that would simply put the taxpayer on the hook and deflect the problem further.

Mr. Chairman, I appreciate that these are difficult, but I would think that we need to take our time, stepping up and being serious about this. Otherwise we are going to end up putting the taxpayer on the hook for a lot of money that is going to make the problem worse over time.

Mr. CALLAHAN. Mr. Chairman, I yield the balance of my time to the gentleman from Florida (Mr. YOUNG), the chairman of the committee, who knows firsthand the importance of this issue.

Mr. YOUNG of Florida. Mr. Chairman, I want to thank the gentleman from Alabama (Mr. CALLAHAN), the subcommittee chairman, for doing a really good job on this bill, as I have said earlier. I must say that I really appreciate his commitment to Florida's beaches. I know that he will have many opportunities to help support Florida's beaches and protect them in their pristine condition as we go through the various appropriations processes. Seriously, I really do appreciate that support.

Mr. Chairman, I rise in opposition to this amendment and in favor of the committee position. The committee thought about this. The subcommittee thought that we should review this issue, and we did. The reason that we have a formula of Federal-State partnership is for the same reasons we have a partnership for highways. We have a Federal-State-local formula for building highways and maintaining highways, because people all over America use highways, all over America. People from all over America use beaches, wherever they might be in America.

We have heard the arguments about the economic effect, the economic impact. We have heard the arguments about the pleasure-seeking people who go to the beach to swim and get out into the sun and have a good time, and

all of those are good, solid arguments. There is more to it than just that.

The fact of the matter is that having a good beach protects the infrastructure of the community. Now, I live in a community where we have water on the Gulf of Mexico on one side, water from Tampa Bay on the other side, water from Boca Ciega Bay goes right up the middle, but we have a lot of waterfront. I can tell my colleagues when we get a hurricane in Florida, in my part of the State, most of the damage comes from the high water that pounds against the sea wall, that pounds against these structures. The better beach that exists, the less damage we have to the infrastructure. I have seen roads and highways washed out because there was no beach to protect against that hurricane tidal surge. So it is important that we not only have the economic effect, the tourist effect, but the effect of protecting the infrastructure of the communities.

Now, the formula was established by law. We should not be changing the formula in an appropriation bill. If the gentleman wants to change the formula, the gentleman should go to the appropriate authorizing committee and offer a bill.

I can understand the concern of the gentleman from Colorado, because he has a lot of beach, but he has no water, and a beach without water does not really cut it, and it does not really have the same problems of those of us that have beaches with water.

So anyway, it is a good debate, and we did consider it seriously, but I think it is important that we stick with the committee and vote down this amendment. It maybe well-intentioned, but it is not a good amendment.

Mr. LOBIONDO. Mr. Chairman, I rise in strong opposition to this amendment. States and communities in my district and all over the nation have already entered into binding beach renourishment contracts with the Corps of Engineers with the 65 percent federal/35 percent local cost share formula in place for projects authorized before January 1st of this year. In fact, the current funding formula has been specifically authorized by Congress. It would be grossly unfair to suddenly require these states and municipalities to put up almost twice as much money as had already been agreed upon to protect their beaches and their tourist economies.

Supporters of this amendment claim that shore protection funding only benefits "resort communities." Nothing could be further from the truth. The fact of the matter is, our nation's beaches contribute to our national economy, with local communities just the tip of the iceberg. Four times as many people visit our nation's beaches each year than visit all of our National Parks combined. It is estimated that 75 percent of Americans will spend their vacations at the beach this year. Beaches are the most popular destination for foreign visitors to our country as well. The amount of money spent by these beach tourists creates a huge tax benefit, most of which goes to the Federal government. That tax revenue each year is more than 180 times the Federal share of shore protection projects annually.

I understand my friend from Colorado's sincere desire to control federal spending. However, I think he is taking the wrong approach here. Decisions like this should be made in the authorization process, and not on pre-existing contracts. If the supporters of this amendment want to further change the formulas, then I suggest that they work with the authorizing committee.

I urge a "no" vote on this amendment.

Mr. SAXTON. Mr. Chairman, I rise today in strong opposition to this amendment which would eliminate the federal cost share of 65 percent for US Army Corps of Engineers beach replenishment projects.

Beach replenishment is vital to the coastal economies in our country. Millions of residents and small businesses make their home near the coastline and that population increases dramatically in the summer as tourists flock to the beaches. The continued economic health of our nation's beaches is dependent on these important beach replenishment projects by the US Army Corps of Engineers. The pristine white sand beaches are not only a vital component of the tourist industry, but an important natural resource that supports populations of commercially and recreationally significant fish and rare and endangered species.

This amendment proposes to eliminate the federal cost share of 65 percent for beach replenishment for ongoing and future projects.

Coastal communities have been asked to "voluntarily" increase their cost share for beach replenishment projects to 65 percent, despite that current project authorizations are at a 35 percent state cost share. This is obviously unfair to the State and local governments, who have budgeted their costs for beach replenishment based on their contracts with the federal government and do not have the additional funds which is almost double their authorized cost share.

Coastal States have consistently shown their commitment to assist in the preservation and replenishment of beaches along the Nation's coastlines. The proposed Federal change in cost sharing would only result in the delay or elimination of Corps of Engineers projects potentially increasing the property damage from hurricanes and severe storm events.

Many coastal communities, such as mine, have suffered from repeated storm events over the last several years which has resulted in the narrowing and lowering of the beaches and dunes. This steady erosion has reduced storm protection that would otherwise have been available, which will only result in more property damage when the next storm or hurricane hits.

Each state receives federal funds to protect its communities from natural disaster, whether it is tornado, earthquake, drought resulting in crop damage, flood or hurricane. It is not fair to the coastal communities to withhold federal funds that would otherwise be available to prevent damage from natural disaster.

I urge by fellow colleagues to oppose this amendment and remember all states benefit from our nation's beautiful shoreline.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

I commend Chairman CALLAHAN for producing a bill that ensures our Nation's commitment to work in continued partnership with our state and local communities to address the vital need of shore protection and for supporting the traditional funding ratio that worked so well.

In my home state of New Jersey, tourism is vital to keeping our economy. With 127 miles of our clean beaches open for visitors from around the country and the world; this federal/state partnership helps maintain a dynamic tourism industry that employs over 800,000 people in my state alone.

Mr. Chairman, I urge my colleagues to oppose this amendment.

Mr. CALLAHAN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from Colorado (Mr. TANCREDI).

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. TANCREDI. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XXVIII, further proceedings on the amendment offered by the gentleman from Colorado (Mr. TANCREDI) will be postponed.

Mr. BARTON of Texas. Mr. Chairman, I move to strike the last word. I would like to enter into a colloquy with the gentleman from Alabama (Mr. CALLAHAN), the distinguished chairman of the subcommittee.

Mr. Chairman, my family came to Texas in the 1840s and settled in Hill and Bosque County in the 1870s around a community called Whitney. My great-great-grandfather and my great-grandfather and my grandfather and my father all grew up on a farm under what is now Lake Whitney, because in the 1940s, the Corps of Engineers built a public lake. Since 1954, that lake has been open for use. There have been hundreds, if not thousands, of boat docks put on that lake, but beginning in the 1970s, the Corps began to refuse permits for new boat docks and, as the old boat docks have declined, they have refused to allow them to continue to be maintained.

I had submitted language to the Subcommittee on Energy and Water Appropriations that would be no cost, but would simply allow a holder of a permit on Lake Whitney for a boat dock to use that permit. I would like to ask the distinguished gentleman from Alabama (Mr. CALLAHAN), the chairman of the subcommittee, "Beach Boy Callahan," if he would support at some point in the process insertion of language that is of absolutely no cost to the Federal Government, but which would allow people around Lake Whitney which, at some point in time, had a permit for a boat dock to utilize that permit.

Mr. EDWARDS. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Texas.

Mr. EDWARDS. Mr. Chairman, I am a little surprised because I represent both Hill County and Bosque County. This is the first I have heard about it, and none of this is in the gentleman's district. I respect the fact that he has family ties in the area, but as a member of the subcommittee, I would have

at least asked the gentleman to contact me to ask me if I am aware of what he is trying to do.

Mr. BARTON of Texas. Mr. Chairman, reclaiming my time, the gentleman and I have actually had discussions on this.

Mr. EDWARDS. Mr. Chairman, if the gentleman will yield, I had no idea this issue was coming up. It is wholly within my district. I am the only Texan of either party on this subcommittee. I do not know that I would have objection; I do not know if I would support the gentleman's request, but it seems like it would have been common courtesy to approach me personally.

Mr. BARTON of Texas. Mr. Chairman, I have done that.

Mr. EDWARDS. It would have been common courtesy to approach me personally and say, I am going to come to the floor today to talk to the chairman of the subcommittee about something that is not in my district that is within yours.

Mr. BARTON of Texas. Mr. Chairman, if I could reclaim my time, I think the gentleman from Waco has got an absolutely sincere complaint. The gentleman and I have spoken on this several times, but not in the last week. I thought this was in the bill.

Mr. EDWARDS. Mr. Chairman, not in the last month, not in the last year that I can recall.

My request to the gentleman would be this: This bill still has a long way to go. I am more than willing to sit down with the chairman of the subcommittee, the ranking member, and the gentleman from Texas and see if we agree on this. But I would think before we shape the future of my congressional district, that I would have some input on this.

Mr. BARTON of Texas. Mr. Chairman, again reclaiming my time, the gentleman and I have not had a discussion on this recently.

Mr. EDWARDS. Not in the last year. Mr. BARTON of Texas. Yes, we have. Yes, we have.

Mr. EDWARDS. Mr. Chairman, I will say to the gentleman, I honestly do not recall that discussion. I have dealt with this issue since 1974 when I worked for former Congressman Tiger Teague, and I think I would remember if we had a discussion any time in the last 12 months on this.

My request is simply one of common courtesy. I would like to work with the gentleman on this. I would like to work with the chairman on this. I would hope that we would not make any decision today on this. Let us work in good faith and sit down, since this is entirely, completely within my congressional district.

Mr. BARTON of Texas. Mr. Chairman, again reclaiming my time, I will withdraw my request for a colloquy, because I am absolutely stunned at what the gentleman has just said.

Mr. EDWARDS. Mr. Chairman, if the gentleman will yield, I am stunned that this came up on the floor today,

quite frankly. But despite being stunned on both sides, let us sit down and talk this out as two Members of Congress from the State of Texas and see if we can proceed.

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, let me explain my position. This problem is not limited to just one county in Texas, it also is applicable to some portions of Alabama and other States where the same type of incident is taking place. My agreement with the gentleman from Texas (Mr. BARTON) was that I would agree to sit down with him to try to work out a problem that impacts me as well as other Members of Congress.

So it was not intended to move into one particular county, but to discuss the overall issue of what they are doing with these facilities that these people have been using, in some cases for decades. I do think that we ought to try to find a solution that will apply to Alabama and to Georgia and to Missouri and all over the Nation, because we are all facing a similar problem.

Mr. BARTON of Texas. Mr. Chairman, reclaiming my time, let me say one thing, because I am not going to press the point. But the language that I had prepared does not expand the number of boat permits, it simply says if there is an existing boat permit or has been, that it can be utilized. That is all it does.

Mr. EDWARDS. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Texas.

Mr. EDWARDS. Mr. Chairman, I think what the gentleman from Alabama has suggested makes eminent sense; I respect that. I would look forward to being a part of that conversation along with other Members, but the gentleman from Texas's comments only focused on a lake in my district, not in any other district.

Mr. BARTON of Texas. That is true, that is true.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

SEC. 106. None of the funds made available in this Act may be used to revise the Missouri River Master Water Control Manual when it is made known to the Federal entity or official to which the funds are made available that such revision provides for an increase in the springtime water release program during the spring heavy rainfall and snow melt period in States that have rivers draining into the Missouri River below the Gavins Point Dam.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$34,918,000, to remain available until expended, of which \$10,749,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission.

In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, \$1,310,000, to remain available until expended.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES (INCLUDING TRANSFER OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian tribes, and others, \$691,160,000, to remain available until expended, of which \$14,649,000 shall be available for transfer to the Upper Colorado River Basin Fund and \$31,442,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund; of which \$8,000,000 shall be for on-reservation water development, feasibility studies, and related administrative costs under Public Law 106-163; and of which not more than \$500,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 4601-6a(i) shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That funds available for expenditure for the Departmental Irrigation Drainage Program may be expended by the Bureau of Reclamation for site remediation on a non-reimbursable basis: *Provided further*, That section 301 of Public Law 102-250, Reclamation States Emergency Drought Relief Act of 1991, as amended, is amended further by inserting "2001, and 2002" in lieu of "and 2001".

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

For the cost of direct loans and/or grants, \$7,215,000, to remain available until expended, as authorized by the Small Reclamation Projects Act of August 6, 1956, as amended (43 U.S.C. 422a-422i): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$26,000,000.

In addition, for administrative expenses necessary to carry out the program for direct loans and/or grants, \$280,000, to remain available until expended: *Provided*, That of the total sums appropriated, the amount of program activities that can be financed by the Reclamation Fund shall be derived from that Fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement,

and acquisition provisions of the Central Valley Project Improvement Act, \$55,039,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f), and 3406(c)(1) of Public Law 102-575, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, \$52,968,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed four passenger motor vehicles for replacement only.

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

SEC. 201. None of the funds made available in this Act may be used by the Bureau of Reclamation (either directly or by making the funds available to an entity under a contract) for the issuance of permits for, or any other activity related to the management of, commercial rafting activities within the Auburn State Recreation Area, California, until the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Federal Water Pollution Control Act (33 U.S.C. 12151 et seq.) are met with respect to such commercial rafting activities.

SEC. 202. Section 101(a)(6)(C) of the Water Resources Development Act of 1999 (113 Stat. 274) is amended to read as follows:

"(C) MAKEUP OF WATER SHORTAGES CAUSED BY FLOOD CONTROL OPERATION.—The Secretary of the Interior shall enter into, or modify, such agreements with the Sacramento Area Flood Control Agency regarding the operation of Folsom Dam and Reservoir, as may be necessary, in order that, notwithstanding any prior agreement or provision of law, 100 percent of the water needed to make up for any water shortage caused by variable flood control operation during any year at Folsom Dam and resulting in a significant impact to the environment or to recreation shall be replaced, to the extent that water is available, as determined by the Secretary of the Interior, with 100 percent of the cost of such available water borne by the Sacramento Area Flood Control Agency."

Mr. CALLAHAN (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title II be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. Are there any amendments to title II?

If not, the Clerk will read.

The Clerk read as follows:

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for energy supply activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 17 passenger motor vehicles for replacement only, \$639,317,000, to remain available until expended.

AMENDMENT OFFERED BY MR. HINCHEY

Mr. HINCHEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HINCHEY:

In title III, in the item relating to "DEPARTMENT OF ENERGY ENERGY PROGRAMS; ENERGY SUPPLY" after the aggregate dollar amount, insert the following: "(increased by \$50,000,000)".

In title III, in the item relating to "ATOMIC ENERGY DEFENSE ACTIVITIES NATIONAL NUCLEAR SECURITY ADMINISTRATION; WEAPONS ACTIVITIES" after the aggregate dollar amount, insert the following: "(reduced by \$60,000,000)".

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto be limited to 10 minutes, the time to be equally divided between the proponent of the amendment and a Member opposed.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. VISCLOSKEY. Mr. Chairman, reserving the right to object, I would just want to know who would control the time on each side.

The CHAIRMAN. The gentleman from New York (Mr. HINCHEY) would control the time in favor of the amendment, and the gentleman from Alabama (Mr. CALLAHAN) would control the time in opposition.

Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HINCHEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to thank the chairman of the subcommittee for a very good work product, but every product can be improved, and I think that this amendment would improve this energy and water bill significantly.

One of the problems we face as a country, Mr. Chairman, is the fact that our energy policy looks backward rather than forward. We are dependent too heavily on fossil fuels, and increasingly those fossil fuels are coming from places beyond our shores. We are currently dependent on more than 50 percent of our oil from places outside of the United States.

What this amendment would do would be to increase the funding for renewable energy within this bill by \$50 million. It would pay for that funding by taking \$60 million from the Energy Department's missile program.

Now, that missile program within the Energy Department currently is funded at the rate of \$5.1 billion. That is just within the Energy Department. This bill increased that funding by \$118 million for the projected fiscal year.

My amendment would take \$60 million from that \$118 million increase and apply \$50 million of it to alternative energy. By alternative energy, of course, we mean producing energy through direct solar, by wind, geothermal and similar technologies.

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It is important that we do so. It is important that we do so, because we want to improve the availability of energy from sources other than fossil fuels, and it is particularly important in terms of nuclear security, because we want to reduce the amount of energy that we need to import from places that are outside the United States.

We can do that by advancing technologies that promote solar, wind, and geothermal energy. Mr. Chairman, up until recently, the United States led the world in the production of energy through photovoltaic cells and other direct solar means; however, beginning in the decade of the 1980s, we began to lose that edge. And that edge currently is enjoyed by the Japanese.

They have the edge on us by producing electricity directly from solar and by other solar means and photovoltaic cells particularly.

Up until recently, we had the edge in producing energy through wind technologies. We have lost that edge to the Danes and to the Germans. They are currently ahead of us, and they have more advanced technology for producing energy through wind than we do.

We know that within the next several decades, production of energy through solar and wind technologies and geothermal technologies will provide industrial opportunities globally to the tune of hundreds of billions of dollars, perhaps, trillions of dollars, even by the midpart of this century. And for that reason, alone, as well as our own independence and security, we ought to be advancing these techniques for energy production.

Mr. Chairman, I think that this amendment, which would increase our funding for renewable energy technologies by \$50 million, is frankly little enough; and perhaps, the least that we could do at this particular moment.

It pays for this increase by drawing from the Energy Department's missile program. As we know, the Defense Department under Secretary Rumsfeld is currently engaged in a top-to-bottom review of our military defense program, and our nuclear missile program is going to be a major part of that.

Mr. Chairman, this bill funds nuclear programs through the Energy Department in ways that are, I think, greatly outdated, even archaic. For example, there is a provision in this bill to pay

\$96 million for a particular type of cruise missile which is used only by the B-52 bomber.

Now the B-52 bomber is 40 years old. It is clearly an outdated technology, and it is very likely that when the Rumsfeld review, top-to-bottom of our defense needs, is completed that this particular program is going to be rapidly phased out.

I can cite a number of other nuclear technology examples that are archaic, that are outdated, and which will undoubtedly not be funded as a result of the top-to-bottom review of the Rumsfeld program. So, therefore, I think it makes sense to take this money from that program and put it here to renewable energy.

Mr. Chairman, I reserve the balance of my time.

Mr. CALLAHAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I yield 1 minute to the gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Mr. Chairman, I thank the gentleman from Alabama (Mr. CALLAHAN) for yielding the time to me.

Mr. Chairman, I kind of feel like I am torn between two of my favorite things, as the ranking member on the panel to oversee the national nuclear security administration, I believe we should be investing more money in nonproliferation programs and counterproliferation programs.

Obviously, as a Californian, I think it is very important that we work hard to make sure that we have strong energy policies and diversify our portfolio to make sure that we have renewables and alternatives to fossil fuels, but I cannot support this amendment, because we are taking very needed money and, frankly, robbing Peter to pay Paul.

Mr. Chairman, I urge my colleagues to vote against the Hinchey amendment.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Chairman, I appreciate the gentleman from Alabama (Mr. CALLAHAN) for yielding the time to me.

Mr. Chairman, I share the desire of the gentlewoman from California (Mrs. TAUSCHER) that we become more energy independent, but it would be a great mistake to take further funds away from our nuclear weapons program.

What the gentleman from New York (Mr. HINCHEY) may not realize is our existing nuclear weapons are 18 years old and aging. They were designed to last about 12 years.

We have decided as a country that we are not going to conduct nuclear tests, but some way we have to make sure these weapons continue to be safe, reliable, and secure. If we do not have the funds to conduct surveillance and to conduct scientific tests, to see whether these weapons will continue to be reliable, the only option for us is to go back to nuclear testing.

I am afraid amendments like this which would reduce the funds available to just make sure what we have now is safe, secure, and reliable drives us inexorably back towards nuclear testing which is not an option I suggest the gentleman would like.

Mr. Chairman, I oppose the amendment; and I suggest my colleagues do likewise.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman from Alabama (Mr. CALLAHAN) for yielding me the time; and I rise in opposition to this amendment.

Last year, Mr. Chairman, at this time, we were rightfully fixated on the security of our national labs and protection of our secrets and the protection of our nuclear weapons program and data and research, et al.

This amendment would strip dollars away from the National Nuclear Security Administration's weapons activities program, the very programs we have worked to strengthen in last year's budget as a result of well-publicized security breaches.

As important as support is for renewable energy programs, the sponsor better find a better account to take it from. I oppose the amendment.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Mr. Chairman, I rise in strong opposition to this amendment. We have cut the nuclear weapons budget in this country below what the President requested by \$200 million.

I have a letter here from John Gordon that he handwrote to me this afternoon about this amendment and some others that might result in the further reduction of money for the nuclear weapons stockpile stewardship program. It says in part, now, on top of this comes news of potential further budget cuts resulting from possible floor amendments. This is completely unacceptable if we are to have any chance of meeting our high-priority mission needs.

The nuclear weapons program is supposed to certify the safety, security, and reliability of the nuclear weapons stockpile. Our stockpiling is aging, and we must continue to make sure it is safe and reliable for this country.

As much as I support conservation and investment in renewable energy, this is the wrong place at the wrong time to take that money from.

Mr. CALLAHAN. Mr. Chairman, we have only one more speaker and I think we have the right to close?

The CHAIRMAN. The gentleman has 1 minute remaining and the right to close. All time has expired on the other side.

Mr. CALLAHAN. Mr. Chairman, I yield the balance of my time to the gentleman from Tennessee (Mr. WAMP), a valuable member of the Subcommittee on Energy and Water Development, and our expert on this issue.

Mr. WAMP. Mr. Chairman, I want to thank the gentleman from Alabama (Mr. CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKEY), the ranking member, for hearing our bipartisan plea to increase the funding for renewable energy sources in this bill.

We increased the funding \$100 million above the President's request. We worked overtime to make sure that this appropriation bill matches the national energy policy from a balanced comprehensive approach. And as the cochairman of the Energy Efficiency and Renewable Energy Caucus with the gentleman from Colorado (Mr. UDALL), I thank them for hearing our plea to increase renewables.

The result is good and balanced, but the other side of the well-intended amendment of the gentleman from New York (Mr. HINCHEY) is that it takes funding from our nuclear stockpile stewardship and management.

Our country must maintain a safe and reliable stockpile for nuclear weapons. That decision has been made. That is not even debatable, frankly, in this country, in terms of the consensus of Americans that expect us to have a reliable nuclear weapons stockpile.

We must maintain our national preparedness, and we are losing that capability, so we must fight back this amendment in a bipartisan way.

Mrs. TAUSCHER. Mr. Chairman, I rise in reluctant opposition to this amendment.

Reluctant because I have been an outspoken critic of the President's budget, which made drastic cuts to COE's renewable energy programs. Programs that promote renewable energy technologies must be part of any comprehensive energy plan for our country.

I am pleased that my colleagues on the Appropriations Committee have restored some of the funding to the renewable energy accounts, providing \$1 million above last year's levels.

Clearly more needs to be done. It is important to advance deployment of renewable technologies for applicable use in our homes and businesses and on our grids as soon as possible.

But Mr. Chairman, I must oppose any attempt to defer fully funding our nuclear weapons programs while we wait for the Secretary of Defense's Strategic Review to be completed.

As a Member of the House Armed Services Committee, I can tell you that the Secretary has briefed me and my colleagues on the status of this Review, and based on these briefings, it is unclear when this Review will be completed.

These programs are vital to our national security and can not afford to be underfunded or delayed until the Administration concludes its Review.

And given some of the military needs identified in this year's supplemental appropriations bill, like training and readiness, military personnel quality of life issues, and advanced weapons systems; it is clear that the funding needs of our nuclear weapons programs at DOE next year must be maintained in this bill.

Mr. Chairman, I urge my colleagues to oppose this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. HINCHEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HINCHEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York (Mr. HINCHEY) will be postponed.

The Clerk will read.

The Clerk read as follows:

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction or expansion, \$227,872,000, to remain available until expended.

Mr. PETRI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to thank the gentleman from Alabama (Chairman CALLAHAN) for his work on this bill. Over the years, I have been intimately involved in several of the issues contained in this bill, and I am aware of the many challenges that he faces in putting it together.

It is one of those issues about which I rise today. For several decades, Congress has debated the merits of constructing a massive water on the Animas River in Colorado. Last fall, the Colorado Ute Settlement Act Amendments of 2000 was included in the end-of-the-year omnibus appropriations bill with little opportunity for debate or a vote on this specific project, and today's bill appropriates \$16 million for it.

While the features of this Animas La Plata project are not as egregious as earlier versions, there are serious concerns that significant loopholes remain which will enable project beneficiaries to violate the intent of the act.

None of these loopholes is more significant than the possibility that nontribal beneficiaries are going to avoid their responsibilities, as required by reclamation law, for the full repayment of all capital and operating costs associated with their share of water from the project.

This has been a continuing concern of many of us who have opposed this project in the past. There are already some indications that local nontribal water users may be trying to do just that with the potential of buying water from the tribes instead.

To cite just one example, on May 24, 2001, the director of Colorado's Water Conservation Board sent an e-mail to other State officials stating, and I quote, "given the cost of ALP water, I do not think the State can afford to purchase. We discussed the possibility of an option to lease or option to purchase at some future date with a nominal annual payment. I would prefer to let the Feds pay for it at this time with the Indians holding title."

The language adopted last year clearly states that nontribal repayment arrangements must be made before construction begins. Furthermore, it directed the Secretary of the Interior to report to Congress by April 1 of this year on the status of the repayment negotiations. That report has still not been made.

Mr. Chairman, I hope that what was declared in the 1987 ad in the Colorado paper does not come to pass. It said, "Why should we support the Animas La Plata project? Reason number seven, because someone else is paying most of the tab. We get the water. We get the reservoir. They pay the bill."

If the local beneficiaries are not willing to pay their share, nobody else's constituents should have to pay this bill. Such a situation certainly begs the question of whether the project is really worthwhile, that is what the principle of cost sharing is all about.

I will continue to closely monitor the development of this project and, if necessary, work to stop the further funding of this project if it does not progress as required by law, and I ask the chairman and the committee and all of my colleagues to do the same.

Please keep an eye on this project and do not allow it to move forward if all parties do not fulfill their repayment obligations.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

For necessary expenses to maintain, decontaminate, decommission, and otherwise remediate uranium processing facilities, \$393,425,000, of which \$272,641,000 shall be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, all of which shall remain available until expended.

SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed 25 passenger motor vehicles for replacement only, \$3,166,395,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as amended, including the acquisition of real property or facility construction or expansion, \$133,000,000, to remain available until expended and to be derived from the Nuclear Waste Fund: *Provided*, That not to exceed \$2,500,000 may be provided to the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended: *Provided further*, That \$6,000,000 shall be provided to affected units of local governments, as defined in Public Law 97-425, to conduct appropriate activities pursuant to the Act: *Provided further*, That the distribution of the funds as determined by the units of local government shall be approved by the Department of Energy: *Provided further*, That the

funds for the State of Nevada shall be made available solely to the Nevada Division of Emergency Management by direct payment and units of local government by direct payment: *Provided further*, That within 90 days of the completion of each Federal fiscal year, the Nevada Division of Emergency Management and the Governor of the State of Nevada and each local entity shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by Public Law 97-425 and this Act. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: *Provided further*, That none of the funds herein appropriated may be: (1) used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: *Provided further*, That all proceeds and recoveries realized by the Secretary in carrying out activities authorized by the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended, including but not limited to, any proceeds from the sale of assets, shall be available without further appropriation and shall remain available until expended.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed \$35,000), \$209,611,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: *Provided further*, That of the funds provided to the Department of Energy under title III of Public Law 105-277 for activities related to achieving Year 2000 conversion of Federal information technology systems and related expenses, remaining balances, estimated to be \$1,480,000, may be transferred to this account, and shall remain available until expended, for continuation of information technology enhancement activities: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total \$137,810,000 in fiscal year 2002 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation from the General Fund estimated at not more than \$71,801,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$32,430,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES
NATIONAL NUCLEAR SECURITY
ADMINISTRATOR
WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 11 passenger motor vehicles for replacement only, \$5,123,888,000, to remain available until expended.

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AMENDMENT NO. 2 OFFERED BY MR. KUCINICH

Mr. KUCINICH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. KUCINICH:

In title III, in the item relating to "WEAPONS ACTIVITIES", after the aggregate dollar amount, insert the following: "(reduced by \$122,500,000)".

In title III, in the item relating to "DEFENSE NUCLEAR NONPROLIFERATION", after the aggregate dollar amount, insert the following: "(increased by \$66,000,000)".

Mr. KUCINICH. Mr. Chairman, the National Ignition Facility is a multi-billion-dollar giant laser designed to blast a radioactive fuel pellet in an attempt to create a nuclear fusion explosion. The Department of Energy considers the National Ignition Facility important to its Stockpile Stewardship program, but according to experts, the project is overbudget, may not be technically feasible, and is not necessary to maintain our nuclear arsenal.

According to Dr. Robert Civiak, physicist and former OMB Program Examiner for Department of Energy nuclear weapons programs, the NIF will cost nearly \$5 billion to build, \$4 billion more than the Department of Energy's original estimate. Including operating costs, the NIF will consume more than \$32 billion, six times the Department of Energy's original estimate.

Dr. Civiak also reports that the Department of Energy has yet to solve numerous technical problems that prevent NIF from successfully creating the fusion explosion. Full operation of NIF is already 6 years behind its original schedule.

In fact, according to former Los Alamos physicist Leo Mascheroni, The chance of the NIF reaching ignition is zero. Not 1 percent. Those who say 5 percent are just being . . . polite.

What is all that money being spent for? Department of Energy says the NIF helps us maintain our nuclear weapons, but experts disagree. When asked about NIF's utility for weapons maintenance, Edward Teller, father of the hydrogen bomb and cofounder of the Lawrence Livermore National Laboratory, replied that it had "none whatsoever."

Sandia National Laboratory's former vice president called NIF "worthless" for maintaining nuclear weapons safety and reliability.

Lawrence Livermore Laboratory weapons designer Seymour Sack called NIF "worse than worthless" for the task.

Ray Kidder, another Livermore physicist, has stated, "As far as maintaining the stockpile is concerned, NIF is not necessary."

In fact, NIF is an instrument for developing new nuclear weapons. Department of Energy itself touts NIF as playing an essential role in understanding the physics of nuclear weapons design and nuclear weapons effects. This type of nuclear weapons design activity violates the spirit of both the Nuclear Non-Proliferation Treaty and the Comprehensive Test Ban Treaty.

Nor is there a consensus with the Department of Energy on NIF's importance. Officials at Sandia National Laboratory, another DOE facility, have challenged Department leaders on NIF, calling for a scaled-down version in order to make sure it works and that it can be built affordably.

Now, at the same time that Congress is covering the spiralling cost of NIF, an instrument of proliferation, we have cut funding for the DOE's nonproliferation activities. The bill we have before us cuts nearly \$27 million from the 2001 nonproliferation budget.

This should be a cause for concern for all of us, because even funding at fiscal year 2001 levels would not be enough to address the problem. Currently, for instance, there are enough quantities of fissile material in Russia to make more than 40,000 nuclear weapons, and the resource-starved Russian Government cannot secure all of this material on its own.

The bipartisan Cutler-Baker panel that recently studied these issues called the risk of theft of Russian nuclear materials the United States' most urgent unmet national security threat. Their report urged sharp increases in spending on nonproliferation, not cuts.

Our amendment attempts to address these skewed priorities by taking money being used for proliferation-type activities and setting it aside for critical nonproliferation programs should be considered by this House and approved by this House.

The amendment reduces NIF funding by one-half. This still represents a \$42.5 million increase in funding over the last year.

At the same time that we slow down the dubious National Ignition Facility, we add \$24 million to the Immobilization Program, which disposes of surplus plutonium; \$19 million to the Materials Protection, Control and Accounting Program, which seeks to secure 603 metric tons of at-risk weapons-usable nuclear material in Russia; \$23 million to the Nuclear Cities Initiative, which helps find employment for nuclear scientists in Russia's 10 closed

nuclear cities so that they are not tempted to sell sensitive information to groups developing weapons of mass destruction.

I urge a yes vote on this amendment. Let us demonstrate our Nation's commitment to smart government and take the leadership role in the fight to prevent proliferation of nuclear weapons.

Mr. WAMP. Mr. Chairman, I move to strike the last word in opposition of the amendment.

Mr. Chairman, again, I applaud the intent of the author of the amendment to increase our accounts for renewable energy, but as the Republican cochairman with the gentleman from Colorado (Mr. UDALL) of the House Renewable and Energy Caucus, a caucus that includes 180 members, in a bipartisan way we have worked tirelessly with the cooperative efforts of the gentleman from Alabama (Chairman CALLAHAN) and the gentleman from Indiana (Mr. VISCLOSKEY), ranking member, to increase these renewable accounts by \$100 million above the President's request.

This is even by those in the renewable energy field being applauded as a great victory at this point in the process. Now, if there are future victories to be had for renewables, and I hope there are this year, they need to take place at the conference committee where we have an increase in the allocation on the Senate side, and I believe still room for debate on the final funding levels for these important renewable energy functions. I will be there at that conference advocating on behalf of further increases in these renewable accounts.

But here we go taking the money again out of an absolutely essential function of our Federal Government. Our nuclear weapons stockpile stewardship is critically important for the good of this country and, indeed, the entire free world. If we are going to be able to test these weapons without firing these weapons, then facilities like NIF must be supported.

Granted, the management of the project itself has not been stellar, and it has had to be improved, but the fact is the imperative is there to finish the project, to continue to support our nuclear weapons stockpiling stewardship, and to be able to maintain these weapons and test these weapons without firing these weapons.

We increased at this subcommittee these nonproliferation accounts that the gentleman referred to by \$71 million. Again, we have done a very good job at the subcommittee of balancing all of these needs because we agree with the gentleman on the points that he made. But we have already done that work. What the gentleman's amendment actually does is takes it further and cuts into our national preparedness, something that we cannot afford to do.

There is no question that some people would come to the floor today and

oppose anything nuclear. But, Mr. Chairman, our country wants us to maintain a safe and reliable nuclear stockpile. Our country desperately needs to invest in NNSA-related programs so that these plants that have built up our nuclear weapons and today maintain them for the potential future use, God forbid it ever happens, but it is that deterrent that has brought about the global peace that we see today because that deterrent was, indeed, deployed. It was never deployed, but it was built up to the point where it never had to be deployed.

So our nuclear weapons stockpile stewardship is at risk here with this amendment, and we must maintain this. We must support the NNSA and all of its different programs, and this would certainly take away from that.

So I respectfully agree with the intent of the gentleman, but stand in strong opposition and applaud the subcommittee work because it is balanced and responsible and supports our national security missions, and it also supports the need to have a balanced energy strategy, including increased funding for renewables.

Mrs. TAUSCHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition of the Kucinich-Lee amendment. As the mother of a 10-year-old, I share my colleagues' hope for a peaceful world free of nuclear weapons.

I believe the United States should reduce the number of nuclear weapons we maintain, and I introduced legislation today with the gentleman from North Carolina (Mr. SPRATT) calling on President Bush to do just that.

I agree that funding for nonproliferation programs is well short of what is needed, but I also believe that, as long as this country relies on nuclear weapons as a central part of our national security strategy, we have a commitment to maintain them in a safe and reliable condition.

Our best hope for maintaining the reliability of our nuclear weapons without testing is a robust Stockpile Stewardship program that includes the National Ignition Facility known as the NIF.

The NIF is an essential component of our Stockpile Stewardship program because it will allow us to create conditions similar to those that exist within a nuclear explosion without actually conducting live tests of nuclear weapons. Tremendous progress has been made in constructing this facility.

Since construction began, over \$1 billion has been invested in the NIF, and more than 1,000 tons of equipment have been installed. The building housing the NIF is 98 percent complete, and 70 percent of the laser glass has been produced and meets specification.

Mr. Chairman, we can ill afford to abandon the NIF at this critical juncture in the Stockpile Stewardship program. We must give the Nation's nuclear stewards the tools they need to

maintain the safety, security and reliability of our Nation's nuclear deterrent.

Finally, Mr. Chairman, I would like to submit for the RECORD a letter I received today from Ambassador Thomas Graham, who negotiated the nonproliferation treaty, expressing his support of the NIF.

I would also like to direct the RECORD on quotes attributed to Dr. Edward Teller. Dr. Teller's quote is, "I was misquoted giving the appearance I did not support this NIF project. It is necessary that I correct this completely wrong impression." I am for the NIF.

Mr. Chairman, I urge my colleagues to strongly vote down this amendment. It will jeopardize our ability to have a safe and reliable and certifiable stockpile.

Mr. Chairman, I include the following documents for the RECORD as follows:

LAWYERS ALLIANCE FOR WORLD SECURITY
COMMITTEE FOR NATIONAL SECURITY

Washington, DC, June 26, 2001.

Hon. ELLEN TAUSCHER,
House of Representatives, 1122 Longworth
House Office Building, Washington, DC.

DEAR CONGRESSWOMAN TAUSCHER, I am writing this letter to urge your support on a matter that I consider to be crucial to the continuing viability of the U.S. nuclear arsenal and therefore to our national security. I believe that it is necessary that we maintain an effective and fully funded stockpile stewardship program, an important element of which is the National Ignition Facility. Specifically, the stockpile stewardship program is the underpinning for our current moratorium on nuclear testing and will provide the conditions for Senate reconsideration of the Comprehensive Nuclear Test Ban Treaty.

I am not a new supporter of NIF. I supported it when I was in charge of the U.S. worldwide efforts to extend the Nonproliferation Treaty (NPT) and I supported it when, after the 1995 Conference which permanently extended the NPT, I urged negotiation of a zero-yield CTBT. I supported it despite earlier concerns about cost, management and technical problems, concerns that were well justified. And while there continue to be some problems in these respects, I am confident that under General Gordon's leadership the NNSA will successfully correct the situation and complete this much needed element of our effort to maintain a safe and reliable nuclear deterrent without underground testing. I strongly urge you to support the full NNSA request for the NIF project in FY2002.

I recognize that President Bush has indicated he does not support a CTBT at this time, a view with which I respectfully disagree. Nevertheless, he has given his full support to a continuing moratorium on nuclear testing. Thus, we need a full commitment to an effective and successful stockpile stewardship program.

Without a doubt, a significant part of the reason the Senate voted against ratification of the test ban treaty in 1999 was a failure on the part of CTBT advocates to convince enough senators that stockpile stewardship works. A successful NIF, which will perform key scientific experiments and is crucial to efforts to attract the quality personnel required to permit the labs to fill their stewardship missions, would help remedy this misperception in the future. Conversely, failure to support NIF will undoubtedly undermine the stockpile stewardship program and,

as a result, the U.S. testing moratorium and future CTBT ratification efforts.

While some critics of the NIF correctly assert that other elements of the stockpile stewardship program need additional funding, the answer is not to take funds from one part of the program to fix another but rather to provide sufficient resources for a fully effective program. When this issue is considered in committee later this year, I urge you to continue your support for the National Ignition Facility and the stockpile stewardship program. We have come too far, and have too far to go, to falter now.

Sincerely,

THOMAS GRAHAM, Jr.

Statement by Dr. Edward Teller regarding the NIF:

"... I was misquoted giving the appearance that I did not support this (NIF) project. It is necessary that I correct this completely wrong impression.

It is my opinion that the NIF will almost certainly demonstrate nuclear fusion basic for the hydrogen bomb. Such demonstration will be valuable in the Nation's search for ways that future functioning of fusion bombs can be assured."

Mr. CALVERT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to this very irresponsible amendment. We often debate the proper roles and responsibilities of the Federal Government, but I thought we all agreed that Congress exists in large part to provide for our national security.

This amendment strikes at the heart of our country's defense. If we pull support from the National Ignition Facility, we would cripple our nuclear weapons stockpile, the cornerstone of our national defense.

NIF is the only facility that can create the extreme temperature and pressure conditions that exist in exploding nuclear weapons. Without NIF, we would lose our ability to fully understand the operations of our arsenal.

NIF is also the only facility that can create fusion ignition-and-burn in the laboratory. Without NIF, we would not be able to access and certify the aging nuclear stockpile unless we renew underground testing.

Do not just take my word for it. The head of the National Nuclear Security Administration in DOE has said that, without NIF, we will need to begin underground tests once again.

We need to ensure that our weapons are safe and that they will work. NIF gives us this assurance. Stand up for the defense of our Nation. I urge my colleagues to vote against this ill-advised amendment.

Ms. LEE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I stand today in strong support of this amendment to cut funding from the National Ignition Facility and to transfer that money to crucial nuclear nonproliferation programs and to the national Treasury.

This project has already sucked up billions of taxpayer dollars while endangering our environment and sabotaging efforts to reduce nuclear nonproliferation. Instead of continuing to

go down this path, let us stand up today for peace, for security, and fiscal common sense.

NIF has cost billions and will cost billions more and will not increase our national security. The National Ignition Facility is not some crucial component to our security system. It is an albatross, mired in cost overruns and dubious science.

When Edward Teller, the father of the hydrogen bomb, says that NIF has no utility whatsoever, we really should listen.

Now, at the same time, the Energy and Water Development Appropriations bill cuts funding for nonproliferation programs that represent an investment in peace, which is really an investment worth making. So this amendment restores badly needed dollars to programs that will make us truly safer.

This is not a trade-off in security. It is an enhancement of security. Now is not the time to cut support for efforts to curtail the spread of nuclear weapons. Reducing the number of nuclear weapons in the world and reducing the amount of nuclear material in the world enhances our security.

□ 1645

So we must move forward toward a safer future, not backwards to a more dangerous past.

Finally, this amendment returns over \$56 million to the national treasury. Fifty-six million dollars. That money could go to house the homeless, to care for our seniors, or to feed the hungry. Without housing, without medical care, without food for all, how can we really be secure?

Once again I urge my colleagues' support of this amendment.

Mr. RYAN of Wisconsin. Mr. Chairman, I move to strike the requisite number of words, and I rise in favor of the amendment.

Mr. Speaker, I am in support of this amendment from a good-government-taxpayer point of view. This program has failed audit after audit after audit. Just the most recent GAO audit has given it a failing grade. This program is 6 years over its original completion date, and it is almost \$4 billion over budget.

For us, as the legislative branch of government, to properly conduct our proper oversight role over the executive branch, to see if their proper stewardship of our taxpayer dollars is making sense and is being implemented well, and for us to walk away from these kinds of abuses, is quite simply irresponsible.

I support the Kucinich amendment. I do not think it strikes a devastating blow to our nuclear stockpile program. In fact, I think this is a good thing, because it says that if an organization is going to take taxpayer dollars, they have to spend them wisely, have a good plan in place, and that we will not chase good money after bad. These audits need to be passed before we can reward this program with the funding they are asking for.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent to limit debate on this particular amendment to 10 minutes, 5 minutes for a proponent and an opponent.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. VISCLOSKEY. Mr. Chairman, I object momentarily.

The CHAIRMAN. Objection is heard.

Mr. THORNBERRY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. I support the nonproliferation efforts which can reduce the amount of nuclear material and nuclear expertise which is floating around the world and which some reports say is the greatest single threat to U.S. security, but I cannot support reductions in programs that keep our own nuclear stockpile safe, secure, and reliable.

I would say to the gentleman who just spoke in the well that this Congress is not walking away from the management difficulties that the NIF has had. As a matter of fact, in the Committee on Armed Services we have had a number of hearings over the past several years on the NIF and its management difficulties. As a matter of fact, I think one of the reasons we have a new entity within the Department of Energy is to help correct some of those problems in the past. And I can report that the new National Nuclear Security Administration and General Gordon, its head, has moved aggressively to solve the management problems that the NIF has had in the past.

As my colleague from California has said, we have sunk a tremendous amount of money into this project. To walk away now would be the height of folly. But I want to take just a second to put the NIF into its proper context, because I think many of my colleagues do not realize we continue to rely today on nuclear weapons as the central part of our security deterrent; yet those nuclear weapons are 18 years old, on average. They were designed to last 12 years, and so they are already well beyond their design life.

What many people do not realize also is that there is a lot we do not know about nuclear weapons and how they work. In spite of the fact that we have conducted many tests over the past number of years, going back to 1945, there is a lot about what happens with a nuclear explosion that we do not understand, and NIF and other programs like that are designed to help us understand what is going on so that as our weapons age we can continue to have confidence that they are safe, secure, and reliable. If we do not have NIF or other tools like NIF, then the uncertainties will grow, and they will grow to a point where the President and a Congress will have no choice but to resume nuclear testing, and that will have enormous consequences.

I would point out to my colleagues that this subcommittee has already cut

the President's request by \$176 million. That gives me enormous concern. But to take more money out of the President's request to increase the uncertainties and here to stop the funding for NIF, which is one of the essential tools to help answer those questions as our stockpiles age, would be a serious, serious mistake.

Mr. Chairman, I think that what we have before us as an amendment will hurt the security of the United States not only here but in the long term, and I hope my colleagues will reject it.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment, and all amendments thereto, be limited to 10 minutes, the time to be equally divided between the proponent of the amendment and a Member opposed.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama to limit the debate to 10 minutes, 5 minutes divided equally on each side?

There was no objection.

The CHAIRMAN. The gentleman from Ohio (Mr. KUCINICH) will control the time in favor of the amendment, and a Member on the opposite side will control the time in opposition to the amendment.

Mr. KUCINICH. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Chairman, I thank the gentleman for yielding me this time, and I am rising in support of the amendment that has been proposed by the gentleman from Ohio, in part, I think, to clear up some of the issues along the way.

The expenditure in nuclear programs is far beyond what we need to be expending in nuclear programs. That is as simple as one can say it. The increase in nuclear programs in this budget is by a very significant amount over the previous year when we have such great other needs. The amendment that the gentleman has proposed returns \$56 million to the Treasury, which by the way is about similar to the amount that was involved in the amendment that had been offered by the gentleman from New York seeking only an additional \$50 million for renewable energy research programs. It seems to me that that would be a far, far better way to use the \$56 million that otherwise would be returned to the Treasury by the gentleman from Ohio and his amendment.

I just want to point out, in partial reply on exactly the same amendment earlier, the gentleman from Tennessee was speaking about what the committee had done, and I do commend the committee for returning, on renewable energy sources, \$100 million, which had been cut from the budget for renewable energy sources by the President's request. In returning that amount of money, they now have in the bill \$377 million for renewable energy research and development, which is exactly \$1

million more than there was in the previous bill.

Now, I would just point out here that in the National Energy Policy Report that has come out, the policy report has at one point a statement that President George W. Bush understands the promise of renewable energy and strongly encourages alternative sources, such as wind, biomass, and solar energy. And in another place here the statement reads that "renewable and alternative fuels offer hope for America's energy future." I do not think that it is appropriate to have only a \$1 million increase in the accounts for renewable energy, commendable though it is, that the subcommittee has recommended \$100 million more than the President had proposed, because he had cut so much out of what he is in other places here saying are such important pieces of work to be done.

It seems to me that we would be far wiser to use money that might be saved from the NIF and otherwise, by the amendment, would return to the Treasury for something that would really significantly help in producing the kind of energy that we need for the future in renewable sources that does not produce global warming, CO₂, in most of its forms, and produces very little, except renewable sources, in biomass.

The CHAIRMAN. Does the gentleman from Tennessee (Mr. WAMP) seek to control the time in opposition to the amendment?

Mr. WAMP. I do, Mr. Chairman.

Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Mr. Chairman, I thank my colleague for yielding me this time. We can have our own opinion, but we cannot have our own separate set of facts; and the facts about the NIF are very clear. While there were significant production failures and management problems in the NIF in 1999, even into early 2000, that has been dramatically fixed by new management. And, frankly, we have not had any GAO reports saying anything other than that.

These investments are critical to our stockpile stewardship program. They are critical to having an ability to certify the sustainability and the safety of these weapons. The NIF is a project that was plagued with problems; but even today, in the Subcommittee on Military Procurement, General Gordon, the administrator of the National Nuclear Security Administration, testified that the NIF is now problem free, it is a program that is going forward, that we have significant investment in, and it is critical to our ability to have a stockpile stewardship program that enables us to certify weapons without testing.

So I think that while there are rumors out there that the NIF is still plagued with problems, I want to assure my colleagues that they need to

vote down this amendment. I urge them to strongly oppose it. We need the NIF for stockpile stewardship, and we need it for nuclear security.

Mr. KUCINICH. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from Ohio (Mr. KUCINICH) has 1½ minutes remaining, and the gentleman from Tennessee (Mr. WAMP) has 3½ minutes remaining.

Mr. KUCINICH. Mr. Chairman, I yield myself such time as I may consume, and I would like to cite the latest GAO report about the NIF, which was issued on June 1, and continues to recommend an independent scientific review of NIF. It says,

In our reports, we recommended that the Secretary of energy arrange for an independent outside scientific and technical review of NIF's remaining technical challenges. NIF still lacks an independent external review process. Independent external reviews are valuable for measuring cost, schedule, and technical success in any large and ambitious science project. Yet, no such external independent reviews of NIF have been conducted or planned. The DOE's own orders state that external independent reviews are beneficial; however, DOE plans to continue its own internal review program, allowing Defense Programs officials to manage the process themselves.

It is very clear, Mr. Chairman, that accountability has been lacking. While we know about the lack of accountability at NIF, we also have an opportunity here to take a strong position with respect to nonproliferation and fund some of those programs that have been cut back.

Mr. WAMP. Mr. Chairman, I yield myself the balance of my time.

Whether coming at the amendment from a budget-cutting perspective or coming at it from an anti-nuclear or non-proliferation perspective, it does not serve our country well today to retreat from our national preparedness, including the ultimate deterrent of a safe and reliable nuclear weapons stockpile. We built it up for a purpose, and we must maintain it for a purpose. The entire free world is depending on us.

And, frankly, in closing, I want to say we now have better management for our weapons stockpile than we had 5 years ago. There is no question that NNSA was a good move. It was done by a bipartisan team led by the gentleman from Texas (Mr. THORNBERRY) and the gentlewoman from California (Mrs. TAUSCHER), and I applaud their work. Because today, under General Gordon's leadership, the NNSA is responsibly reforming our nuclear weapons programs so that we are prepared for the future.

For too long our weapons activities have been put on the back burner.

□ 1700

We have been funding through our national security programs weapons, and our personnel on active duty and our Guard and Reserve, but we cannot move our weapons activities to the back burner and expect to have an infrastructure that is capable of the next

generation of nuclear weapons if we need them, or a workforce. We have a graying workforce and aging infrastructure throughout the weapons complex.

I represent the Y-12 in Oak Ridge, Tennessee, where bricks fall off the walls and people have to report to work in hard hats because the infrastructure has eroded.

Mr. Chairman, we must reinvest in the modernization of these facilities. We have buildings that are 50 years old. We have not adequately funded those facilities. This strikes at NIF, but NIF is at next-generation of being able to test without activating these weapons and testing underground, maintaining the weapons stockpile reliability. We must do this and fight back this amendment.

Mr. Chairman, I urge a "no" vote on this amendment.

Mr. WAMP. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. KUCINICH. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 8 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio (Mr. KUCINICH) will be postponed.

Mr. BARR of Georgia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to enter into a colloquy with the distinguished gentleman from Alabama (Mr. CALLAHAN), the chairman of the Subcommittee on Energy and Water Development.

Mr. Chairman, since being elected to the Congress, I have worked closely with the Army Corps of Engineers to ensure full pool lake levels at West Point Lake. On several occasions, the Army Corps has imprudently lowered the lake level, causing environmental degradation and severely affecting the use of the lake by the tens of thousands of citizens who rely on it for their water, energy, and recreation.

Over the last year, however, with the assistance of former Assistant Secretary of the Army for Civil Works, Joseph Westphal, we were able to work on making sure that the Army Corps in managing West Point Lake, respected the benefit-cost priorities that were established by Congress when this project was authorized by title II, section 203 of the Flood Control Act of 1962, Public Law No. 87-874 (76 Stat. 1190, October 23, 1962).

This legislation authorized four primary project purposes with benefits and costs as follows: generation of hydroelectric power, flood control, fish and wildlife, recreation and navigation.

Mr. Chairman, I would like to ask the distinguished chairman, the gentleman from Alabama, can I be assured the gentleman will work with the

Army Corps to continue to respect the relative priorities of these federally mandated purposes?

Mr. CALLAHAN. Mr. Chairman, will the gentleman yield?

Mr. BARR of Georgia. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman for bringing the issue to the attention of the committee. I recognize the work the gentleman from Georgia has done to assist the Army Corps in making rational decisions in the operation of West Point Lake. It is my goal to direct the Army Corps to continue to work on improving the management of West Point Lake. The Army Corps needs to work to fulfill the intent of Congress with respect to this facility. I pledge to work with the gentleman from Georgia to ensure the Corps of Engineers adequately addresses the concerns of the gentleman and his constituents.

Mr. BARR of Georgia. Mr. Chairman, I thank the gentleman for his continued work in this area and look forward to working with him.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent that we bring the Bonior amendment up out of order, and that time constraints be put on the amendment limiting debate on the amendment and all amendments thereto to 1 hour, the time to be equally divided between the proponent of the amendment and a Member opposed.

Mr. VISCLOSKY. Mr. Chairman, if the gentleman would yield, the vote on the Bonior amendment would be the first vote in sequence tomorrow morning?

Mr. CALLAHAN. That is correct. We are going to make that announcement after the unanimous consent is adopted. If the unanimous consent is accepted, then we will debate the Bonior amendment or any amendment thereto, including the Rogers amendment tonight, probably finish about 6, have no further votes tonight, and then begin in the morning at 9.

Mr. VISCLOSKY. And no further amendment will be offered tonight, we will do our unanimous consent, and the first vote in the morning would be the Bonior amendment?

Mr. CALLAHAN. With the exception of the Rogers amendment.

Mr. VISCLOSKY. Mr. Chairman, I have no objection.

The CHAIRMAN. Without objection, the gentleman from Michigan (Mr. BONIOR) will be permitted to offer an amendment in the form of a limitation to be inserted at the end of the bill at this point in the reading, and that debate on the amendment and any amendments thereto be limited to 60 minutes, equally divided and controlled by the gentleman from Michigan and a Member opposed.

There was no objection.

AMENDMENT OFFERED BY MR. BONIOR

Mr. BONIOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BONIOR:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. _____. No funds provided in this Act may be expended to issue any permit or other authorization under section 10 of the Rivers and Harbors Appropriation Act of 1899 (33 U.S.C. 403), or to issue any other lease, license, permit, approval, or right-of-way, for any drilling to extract or explore for oil or gas from the land beneath the water in any of Lake Huron, Lake Ontario, Lake Michigan, Lake Erie, Lake Superior, Lake Saint Clair, the Saint Mary's River, the Saint Clair River, the Detroit River, the Niagara River, or the Saint Lawrence River from Lake Ontario to the 45th parallel of latitude.

The CHAIRMAN. Under a previous agreement of the House, time will be limited to 60 minutes equally divided between the gentleman from Michigan (Mr. BONIOR) and a Member opposed.

The Chair recognizes the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, I want to thank my colleagues who have worked to put this together: the gentleman from Indiana (Mr. VISCLOSKY), the gentleman from Alabama (Mr. CALLAHAN), the gentleman from Florida (Mr. YOUNG), and the gentleman from Wisconsin (Mr. OBEY).

Secondly, I want to thank the gentleman from Michigan (Mr. STUPAK) for being the leader on this important issue for all of us in the Great Lakes. I thank him for his leadership. And I also thank the gentleman from Ohio (Mr. LATOURETTE) for his sponsorship of this, as well as the gentlewoman from Ohio (Ms. KAPTUR).

Mr. Chairman, for those who have grown up along the shores of the Great Lakes, we know that the Great Lakes defines the region that we live in. It is what we are about. It is what has made the Great Lakes region the wealthiest area on the planet Earth because of this wonderful and abundant resource.

Mr. Chairman, we depend on our drinking water, our recreation, the engine of our economy on the water in the Great Lakes. Tourism is our second largest industry. We do about \$10 billion a year in tourism. Families come to Michigan to fish, to use our beautiful beaches, to swim in our lakes and enjoy our sand dunes. They do not come to Michigan to look at oil wells or oil derricks. We are passionate about protecting the Great Lakes.

We cannot afford to put our greatest natural resource at risk. When I say that, 95 percent of all of the fresh water in our country comes out of the Great Lakes and its connecting waterways; 20 percent, a fifth of the fresh water on planet Earth, comes out of the Great Lakes.

I am amazed and appalled and alarmed that some in Michigan are proposing to drill for oil and gas beneath our Great Lakes. They seek to add 30 new directional drills along our shores. They are moving at breakneck speed to get this done. Over their lifetime, directional wells drilled already in place have produced less than one-

third of a day's supply of natural gas and oil.

This process began with seven wells, up to 13, now back to seven as far back as 1979. There is virtually very little that has accrued. I remind my colleagues that 1 quart of oil can contaminate up to 2 million gallons of drinking water. Just think of the damage that would do if we had directional slant drilling.

If we have a drill that hits a pressure pocket, it can spew gas and oil back out like a geyser, Mr. Chairman. There is also another problem that we have experienced in one of the drills in the area of Manistee, Michigan. It is called hydrogen sulfide. It is a poisonous gas. It is very similar to cyanide. It was released back in 1997 and 1998, sending 20 people in that region to the hospital.

Under the present movement to access and explore gas and oil, our drinking water could be contaminated. Oil could wash up to our shores; and if that happened, it could take as much as 500 years to completely flush out.

In conclusion, let me say, Mr. Chairman, oil and water do not mix. Let us put an end to this bad idea by passing this amendment sponsored by my colleague, the gentleman from Michigan (Mr. STUPAK), the gentlewoman from Ohio (Ms. KAPTUR), and put an end to this once and for all.

This amendment would prohibit the Army Corps from spending funds to issue any new permits for oil and gas drilling under the Great Lakes. We need to preserve this natural beauty for future generations. Drilling in the Great Lakes is a formula for disaster. I urge my colleagues to support the amendment.

Mr. Chairman, I yield 4½ minutes to the gentleman from Michigan (Mr. STUPAK), my distinguished colleague and leader on this issue.

Mr. STUPAK. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, this could be a great day for the Great Lakes and all of us who live in and around the Great Lakes. Since the 105th Congress 4 years ago, I have sought to ban the practice of drilling for oil and gas in and under our Great Lakes. Early on I was a lone voice among public officials on this issue.

But I have been rewarded for my efforts, Mr. Chairman, with strong support from both sides of the aisle, Democrats and Republicans, and from Members inside and outside of the Great Lakes basin.

The vote we will take tomorrow demonstrates how this issue has found its time and place in the House of Representatives.

□ 1715

This is not a Florida situation. We have drilling in Michigan for oil and gas. But what our amendment says is there will not be any drilling for oil and gas on our shoreline. We should not be drilling in the world's greatest

supply of fresh water. We should not have to be drilling on the shoreline of fresh water for 34 million people who live around the Great Lakes. Let us not jeopardize our Great Lakes. Let us not jeopardize their drinking water. Let us not drill for gas and oil under our Great Lakes.

This amendment is important because our State of Michigan is moving forward to open new areas for drilling along the shores of Lake Michigan, Lake Huron, Lake St. Clair, the connecting waterway between Lake Huron and Lake Erie.

Consider, Mr. Chairman, that 18 percent of the world's fresh water is found in the Great Lakes. Ninety-five percent of our Nation's fresh water is found in the Great Lakes. It is the home and workplace of 34 million people. The procedure that Michigan plans to authorize does not involve oil platforms located in the water of the Great Lakes themselves. Instead, the rigs would be located along the shore. Oil pockets under the lakes would be tapped by drilling at an angle from the shore rigs. This is a procedure known as directional drilling.

Michigan law already permits State officials to move forward to lease bottomlands of the Great Lakes for drilling, without a new vote of the Michigan State House or State Senate. Michigan can move forward to lease bottomlands without permission from any other Great Lakes State. But as people inside and outside of Michigan have learned what Michigan is doing, Mr. Chairman, they have raised their voice in opposition. The Governor of Ohio has said he would never consider such a procedure. The Wisconsin Senate has said no to directional drilling. Members of the Michigan legislature themselves are waking up to the dangers that this practice presents to the Great Lakes. Although the Michigan Senate earlier this month voted to support new drilling, that language last night was eliminated from a House-Senate conference report and the language allowing directional drilling has been eliminated in Michigan.

Here in Congress, a bipartisan group of Members from this body and the other body have brought forth bills to block any new drilling for oil and gas underneath the Great Lakes. But despite all of these actions, the State of Michigan can still move forward by administrative action and still plans to do so under the leadership of Governor Engler. Leasing of bottomlands of the Great Lakes for new oil and gas could take place within months under the current administration in Michigan. Michigan State officials have argued that the procedure is safe. A set of recommendations made up by a panel, a panel that was handpicked by the Michigan Governor to study the safety of directional drilling, have not been implemented and will not be implemented. They want to drill up in my district and they have never yet had a hearing in my district as required

under the procedures as to whether or not you should drill in the Great Lakes.

Mr. Chairman, we may be able to imagine the hazards of drilling, but it is harder to see the benefits. What is the economic trade-off here that you could argue in favor of drilling under our Great Lakes? The answer, Mr. Chairman, is small and short-term gain for Michigan's budget and profits for oil companies. But the public at large that faces the threat of drilling would see virtually no benefits. The proposed 30 or so new wells would yield only enough oil to meet the needs of Michigan residents for 3 weeks and enough natural gas for 5 weeks.

Mr. Chairman, of all the places in the Nation where we might wish to sink oil wells, I believe we can argue that we would never choose the shoreline shared by the people of Chicago, Milwaukee, Detroit, Cleveland, Toronto, and Buffalo among others. Let us block this procedure.

I thank the U.S. Senators in the Michigan delegation and other Senators for their efforts. I would like to thank my colleagues, the gentleman from Michigan (Mr. BONIOR), the gentlewoman from Ohio (Ms. KAPTUR), the gentleman from Ohio (Mr. LATOURETTE), the gentlewoman from Florida (Mrs. THURMAN), the gentleman from Wisconsin (Mr. BARRETT), the gentleman from Ohio (Mr. BROWN), and others who stepped forward to cosponsor legislation to ban directional drilling each and every Congress that I have introduced it.

A vote for this amendment tells the American public that we understand that the Great Lakes, one of the Nation's, one of the world's greatest resources, should and will be protected. Vote "yes" on the Bonior amendment.

The CHAIRMAN. Does the gentleman from Alabama seek the time in opposition to the amendment?

Mr. CALLAHAN. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman from Alabama is recognized for 30 minutes.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. CAMP).

(Mr. CAMP asked and was given permission to revise and extend his remarks.)

Mr. CAMP. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise today in support of the amendment offered by my colleagues from the Midwest, an amendment which prohibits the Federal Government from facilitating drilling projects in the Great Lakes. This amendment is a vote in support of the most precious fresh water resource we have.

It remains unclear whether or not the Federal Government or the Army Corps of Engineers has any authority in this area, but I believe it is important to make a statement on protecting the Great Lakes. For example, section 10 of the Rivers and Harbors

Act cited in this amendment was passed in 1899 and only refers to blocking navigable waters.

Protection of the Great Lakes basin best remains with the eight Great Lakes Governors and two Canadian Premiers. Earlier this month, the governors and premiers came together and signed Annex 2001 which protects the Great Lakes from commercial withdrawals of water. So while not a perfect solution, I am voting for this amendment to be sure the word goes out that our Federal Government should not be participating in our Great Lakes and this amendment does that.

I applaud Members of both parties for working to protect our lakes. I urge my colleagues to vote in favor of protecting our greatest natural resource.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. I thank the gentleman for yielding me this time.

Mr. Chairman, my district represents roughly 150 miles of Lake Michigan shoreline. On a day-to-day basis the quality of life and the very livelihood of many of my constituents are directly affected by Lake Michigan and the Great Lakes. The Great Lakes are one of this Nation's most precious resources. This amendment is one way we can help protect and preserve the largest body of fresh water in the world.

I am and have always been in favor of States rights and there are some that will invoke that issue in regard to this amendment. Action by Congress is needed, however, because the Great Lakes States and provincial governments of Canada have a patchwork of regulations that do little to protect the Great Lakes from the dangers associated with oil and gas drilling. Canada allows vertical drills to line the bottomlands of Lake Erie. While some States in the Great Lakes region allow drilling, others have banned this practice. Protection of this resource cannot vary from State to State or from one body of water to the next. Everything is interconnected in the Great Lakes region and the decisions that place Lake Erie at risk in turn place Lake Michigan at risk and vice versa. The only appropriate policy is to keep drills out of the Great Lakes.

I feel it is necessary today to vote in favor of this amendment to eliminate the risk as opposed to allowing this activity to take place. In addition to supporting this amendment today, I am also introducing legislation that will call for further study of the environmental impact of oil and gas drilling in the Great Lakes. I will ask for a complete assessment of the condition, safety, and the potential environmental effects of pipelines that run under the Great Lakes and through the States that surround those lakes. And I will ask for a comprehensive study to determine how much oil and gas might be gained by drilling in the Great Lakes region.

We should go further. We need a comprehensive plan to protect the Great Lakes. This is a good first step.

Mr. CALLAHAN. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. DELAY), the majority whip.

Mr. DELAY. Mr. Chairman, I cannot believe amendments like this. It is the height of irresponsibility. I think Members should oppose this amendment because it establishes a horribly irresponsible precedent for our energy security in this country. The Democrat leadership is constraining our economy within the same energy straitjacket that they applied under the Carter administration and that they are applying now in California that brings blackouts.

The working people of America are depending on us to open energy reserves to safe, environmentally responsible exploration. Without reliable energy, our economy will crumble. It will mean blackouts, layoffs, and plant closings.

This energy security obstructionism is one aspect of a broader effort to systematically choke off every promising source of domestic energy. It is hard to fathom how this campaign to block energy production could be driven by anything but a misguided motivation to weaken America and to leave us beholden to foreign sources of energy.

The Democrat leadership is at war with our ability to produce an adequate and dependable energy supply. They oppose safe oil exploration. They oppose expanded nuclear power. They oppose clean coal. They oppose ANWR. They oppose tapping the natural gas trapped beneath public lands. They oppose drilling in the Gulf of Mexico. And now they oppose slant drilling in Michigan.

Now, they are for closing plants. They are for closing refineries. They are against opening any new plants. They oppose everything that allows us to increase our supply. Their actual objective must be to eradicate America's energy security. Why else would the Democrat leadership be recklessly pursuing a policy that is weakening the United States economy?

The question for Democrats to answer is this: Where will Americans go for the energy that they need to sustain their quality of life after you have completely strangled our ability to produce the energy that we need? What will Democrats tell the men and women stranded in gas lines? What explanation will they offer families suffering through frequent and recurring blackouts? What justification will they offer to workers when they open a pink slip after plants are forced out of business by spiraling energy costs?

And this environmental extremism, this radical environmentalism is entirely unwarranted. Today, slant drilling technology allows us to safely withdraw oil and gas beneath bodies of water from the shore. Environmentally safe. We do not have to trade environmental safety for energy security.

Members, please oppose these amendments that weaken America by enhancing the power that foreign suppliers of energy hold over our Nation.

Mr. BONIOR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Wisconsin (Mr. BARRETT).

Mr. BARRETT of Wisconsin. Mr. Chairman, I applaud the gentleman from Michigan (Mr. BONIOR) for introducing this amendment along with the gentleman from Michigan (Mr. STUPAK) and others.

Mr. Chairman, I rise in strong support of this amendment. Unfortunately, some public officials in Michigan are using recent fuel price spikes to justify their desire to open up the Great Lakes to oil and gas drilling. Although drilling in the Great Lakes may bring a profit to the oil companies, it is not going to solve our national energy crisis or even temporarily drive down the cost of gas in the Midwest. In fact, it is estimated that new wells in the Great Lakes will only yield enough oil to meet one State's needs for 3 weeks.

The negligible benefits of expanded oil and gas drilling in the Great Lakes is hardly worth it considering the risks. The type of directional drilling industry proposes carries the risk of oil spills and toxic hydrogen sulfide releases, ruining the lakes' pristine ecosystem and jeopardizing human health. Many of us recall the Exxon Valdez oil spill which dumped 11 million gallons of crude oil contaminating 300 miles of shoreline and causing billions of dollars in damage to one of our most pristine natural wildlife refuges in Alaska. And more recently, an oil spill devastated the Galapagos Islands, ruining miles of shoreline and destroying the environment.

As the world's biggest source of fresh water, the Great Lakes must be protected from such a tragedy. I think the 34 million people inhabiting the Great Lakes basin as well as Americans across the country would agree.

Unfortunately, State officials in Michigan are ignoring common sense and pushing forward in their efforts to reverse a moratorium on Great Lakes drilling. It is therefore incumbent upon Congress to protect the Great Lakes. Banning Federal funding through this amendment is a step in the right direction and would send a strong signal to those eager to exploit Great Lakes resources.

People in Wisconsin and other Great Lakes States are blessed to have the world's most pristine lakes and fresh water resources in our backyard. We get our drinking water from them, our kids swim in them, and our tourism industry depends on them. Because the Great Lakes are such an important part of our daily lives, we are not willing to gamble with this precious resource for short-term gain.

I urge my colleagues' support of this amendment. Please stand with us to protect the Great Lakes from environmental hazard and degradation.

Mr. CALLAHAN. Mr. Chairman, I yield 5 minutes to the gentleman from

Michigan (Mr. KNOLLENBERG), a member of our subcommittee.

Mr. KNOLLENBERG. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in strong opposition to the amendment. The amendment is overly broad and would prohibit all agencies in the Energy and Water bill including the Corps of Engineers, the Department of Energy, and a portion of the Department of the Interior from expending funds for drilling in the Great Lakes. I have concerns that needed grants from these Federal agencies would be cut off as a result of this amendment. This is another attempt by the amendment's author and others to shift decision-making authority over the Great Lakes to the Federal Government, just like the water management issue. They would rather have bureaucrats in Washington to manage our resources than those of us who actually live there. I do not think that is right.

The issue is under the jurisdiction of the State of Michigan and our State legislature and the governments of all the Great Lakes States. This is not just a Michigan issue. The Michigan State legislature has made a decision that this will be handled by State agencies, including the Michigan Department of Environmental Quality, Department of Natural Resources, and the State's Natural Resources Commission.

□ 1730

They have made this decision on their own, free from Federal interference, which is as it should be. In fact, my home State of Michigan is not alone in this sentiment. It is shared by others. In a letter from the Interstate Oil and Gas Compact Commission, and I have a letter here, which has 30 of our Nation's 50 States as members, this letter went to EPA administrator Christie Todd Whitman, who writes, "The member States of the OIGCC regard drilling beneath the Great Lakes and protection of the environment in relation to that drilling to be matters that are within the exclusive jurisdiction of the States and not the United States EPA or other Federal agencies."

This amendment would be counter to the belief of the IOGCC and the majority of States in our Union. Remember again, there are 30 States involved here.

Mr. Chairman, directional drilling should not be confused with offshore drilling. Directional drilling sites are inland. In the State of Michigan, they are prohibited from being closer than 1,500 feet from the shoreline. Conversely, offshore drilling done from ships or rigs directly in the water is prohibited by State law in five of the eight Great Lakes States.

In 1997, the Michigan Environmental Science Board concluded directional drilling posed little or no risk to the contamination to the Great Lakes. Since 1979, there have been no accidents and no significant impact to the

environment or public health. I think the evidence shows clearly that directional drilling is safe and an effective procedure and does not warrant any kind of Federal encroachment. State geologists estimate the production of new oil and gas resources from the Great Lakes could provide, contrary to what one might have heard, as much as \$100 million to the Michigan Natural Resources Trust Fund, the State's sole source of funds for land acquisitions, recreational projects, and natural resource development projects.

The revenue produced by leasing of land for drilling is crucial; and without it, state-owned natural resources could be taken without compensation by private wells drilled along the State of Michigan shorelines and the other States as well; on private lands, I might add.

Furthermore, I believe directional drilling can be done in an environmentally safe manner, and it may be one solution, one solution, to some of our energy woes.

This amendment is counterproductive because our Nation, particularly those in California, are currently experiencing an energy supply shortage and prohibiting directional drilling in the Great Lakes would cut off a critical supply source.

Mr. Chairman, this amendment is little more than an example of mission creep by which the Federal Government slowly, slowly gains more and more authority. This mission creep amendment should not pass this House. I urge Members to oppose this amendment.

The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. SHIMKUS) assumed the Chair.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2002

The Committee resumed its sitting.

Mr. BONIOR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Chairman, first I want to commend the gentleman from Alabama (Mr. CALLAHAN) for restoring funding for renewable energy in this bill.

With regard to contamination of Lake Michigan, we have had the Rock Gobie, the Fish Hook Flea, alewife, nuclear waste and PCBs. Lake Michigan has had enough. We killed Lake Erie in the 1960s and nearly killed Lake Michigan. The Great Lakes are home to half of the world's supply of fresh water. It

is one of our Nation's greatest environmental treasures. I strongly support the Bonior-LaTourette bipartisan amendment and am totally committed to Lake Michigan's environment and urge Members to support this worthy goal.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I might point out that the purpose of this debate, what the gentleman from Michigan (Mr. BONIOR) is attempting to do, is to restrict the Corps of Engineers from granting any further permits for this venture.

This is what the Corps of Engineers is all about. The Corps of Engineers is there to protect the environment, to make absolutely certain that everything with respect to any type of activity on the lake is in the best interest of the environment and of the American people and the area.

So I would beg to differ that the permitting process on this is not taking place, because it is. They cannot do it without permits. If the gentleman's amendment is adopted, the Corps would be prevented from issuing the permits, resulting in a halting of further exploration.

I might say that every day we hear in these 1-minutes the Members of the minority talking about the energy crisis, and this is an opportunity to do something about the energy crisis while not doing anything to harm the environment. So I would urge the Members to pay close attention to what this debate is all about.

Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Chairman, I would join my Michigan Republican colleagues who have spoken in support of this amendment, the gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. HOEKSTRA), also in support of the amendment.

Some say that this is a safe process, slant drilling. Well, I have to say that I am not convinced that the science, in fact, will protect us. No one has ever suggested that the oil perhaps underneath the Great Lakes is an Arab oil field. It will not provide a lot of oil under anyone's estimation. So why should we take the risk?

I grew up on the shores of Lake Michigan, and I can remember as a young boy in the 1960s and even into the 1970s there in fact had been an oil spill on the southern shore of Lake Michigan, and I will say virtually every day, every day in St. Joe, Benton Harbor, my hometown and along the southern shore of Lake Michigan, anyone that went to the beach got oil from the sand on themselves. I do not think there was a house along the street that did not have a little bottle of Mr. Clean on the kitchen step, which was the only stuff that would take that oil off our clothes, off our shoes, name it.

That smell of Mr. Clean stays with me from this day, from those summer days of always getting oil on our feet.

One of the first pieces of legislation I passed as a young Member of this House was oil-spill legislation. I remember almost a catastrophic event in Bay City, Michigan, that would have destroyed, I think, the ecosystem of the Great Lakes for decades, if not more than 100 years.

This is a Great Lakes watershed area that is not like someplace else. When the oil is there, it stays there and it stays there for a long time.

I support this amendment. It is bipartisan. For those of us that have districts along the Great Lakes, I think that all of us, I would hope, would support it. After all, we know our Great Lakes area better than just about anybody else.

This is a wise amendment. I support the amendment. I would hope that my colleagues would also vote for this when we take it up tomorrow. I appreciate the bipartisanship that it certainly has, and I would just compliment my colleagues in support of this amendment to make sure that, in fact, we do not have oil spills throughout the Great Lakes.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. SHIMKUS).

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Chairman, I have a lot of good friends on both sides of the aisle that are addressing this issue, and I really get concerned and I struggle with this.

Southern Illinois used to have one of the largest oil fields in the country 50 years ago, decades ago. Guess what? It was all pumped out. To benefit the United States of America, we drilled in southern Illinois. We still have some marginal wells there. They pump about two barrels a day. They are the little seesaw horses that one sees when they drive down the road.

My cornfields and soybean fields are just as important as any lakefront beach property. Sometimes I think we get very selfish. We are in an energy crisis. Fuel is at an all-time high.

We do not want to drill off the Great Lakes. We had a vote yesterday, where we do not want to drill off of Florida. Heavens, no, we do not want to go into ANWR. So my basic question is: Where do we go?

I will say where we go. We are going to the Saudi Arabia sheiks. We are going to pony up our dollars. We are going to be held hostage by Saudi Arabia for our oil.

I just do not understand. We can send people to the Moon. We can send people to Mars. We can go all over this world, and we cannot drill safely?

So I ask us to bring a little common sense to this and to realize that we have some natural resources. We have places that expended our natural resources for the benefit of our country. Now it is time to make sure that we are energy self-sufficient, not reliant on foreign oil. If we want low-cost gas-

oline, we have to do a couple of things. We have to drill. We have to transport and we have to refine and, of course, we have to add ethanol.

Mr. BONIOR. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Ohio (Ms. KAPTUR), the cosponsor of the amendment.

(Ms. KAPTUR asked and was given permission to revise and extend her remarks.)

Ms. KAPTUR. Mr. Chairman, I thank the gentleman from Michigan (Mr. BONIOR) for yielding me this time.

Mr. Chairman, last week the Members of our body voted to send a message to the Bush administration that oil and water do not mix. The House voted overwhelmingly to stop offshore drilling off the coast of Florida by a vote of 247 to 164. Seventy Republicans joined 177 Democrats in a rebuke to the White House drilling policy. Nonetheless, Vice President CHENEY claims that drilling can be conducted without environmental damage. Where does the administration stop in its single-minded desire to appease the oil and gas special interests? How many times do we have to send this message before the administration gets it?

The Bonior-Stupak-Kaptur amendment is a message: hands-off the Great Lakes. The President and Vice President need to understand that the people of the Great Lakes region do not want drilling. In my State, our Republican Governor is opposed to drilling in the Great Lakes. So are both our Republican Senators and our congressional delegation.

Lake Erie, Ohio's lake, is the shallowest of the Great Lakes and thus the most vulnerable to the administration's scheme. The Lake Erie shoreline, including the area in my congressional district, is a delicate ecosystem. Congressman DINGELL and I are working on ways to protect it for generations into the future. To expose that fragile ecosystem to oil and gas drilling makes no sense. It is reckless policy. It is irresponsible. Our freshwater ecosystem is a powerful, competitive advantage for our economy and a priceless national and international resource that belongs to all the people, not to any special interest.

For hundreds of years, even before the Northwest Territory was open, the Great Lakes have defined an entire region of our continent and the world. In the region, we see the Great Lakes as precious jewels. The administration sees another drilling platform. Please support the Bonior-Stupak-Kaptur amendment. Oil and water do not mix.

[From the Anna Arbor News, June 19, 2001]

CHENEY: DRILLING COULD CAUSE NO HARM
PROTESTERS CHARGE SLANT DRILLS UNDER
LAKES WON'T REDUCE OIL DEPENDENCE

(By Karessa E. Weir, News Staff Reporter)

GENOA TOWNSHIP.—In his first visit to Michigan since taking office, Vice President Dick Cheney said drilling under the Great Lakes can be done without environmental damage.

As environmentalists protested outside Lake Pointe Manor banquet hall where he

was speaking, Cheney said he supports searching for new sources of fuel. Possibly, he said, that could include the controversial plan to slant drill under the lakes.

"The technology in my judgment is extraordinarily good," Cheney said.

"I'd also like to remind everybody that we have a serious problem in our dependence on foreign (oil) sources."

He added that to meet the country's electricity needs, between 1,300 and 1,900 new generators would have to be built for coal, gas and nuclear energy.

"Those are the three options for the foreseeable future," he said. "The attractive features of coal are that we've got a lot of it . . . and it's cheap."

Cheney was at the banquet hall south of Howell attending a \$1,000-a-plate fund-raiser for Brighton Republican Mike Rogers.

Outside, Dan Farough, program director for the Sierra Club and one of about 25 protesters, said continuing to put more federal money into coal-burning endeavors will hurt Michigan and the country without lowering reliance on imported oil.

"Michigan's lakes already are under an advisory for mercury. Where does he think the mercury comes from? It comes from the emissions of those dirty coal-fire plants," Farough said. "He is pushing drilling in Alaska and in the Great Lakes but even if we kept all of what we could get, it would only lower our imports by 2 percent."

Cheney, flanked by Rogers and Lt. Gov. Dick Posthumus, spent the day in Michigan, first touring General Motors Corp.'s Vehicle Emission Lab in Warren and then attending the fund-raiser.

Cheney also spoke to about 500 people who paid \$25 each to attend a rally at the banquet hall, where he touted the passage of the "largest tax cut in a generation" and efforts to reform Social Security and create a global missile defense system.

"We will not accept that the U.S. is undefended from ballistic missiles," Cheney said.

Inside, the reception to Cheney was warm-er.

"He's doing great," said Millie Geisert of Howell. "He's bringing integrity and morality back to our country."

In Warren, Cheney climbed into a fuel-cell vehicle and munched on popcorn produced by the excess energy of a hybrid truck. He said he was impressed by what he saw at the GM facility.

"I am . . . optimistic. With American technology and ingenuity there's no question we can solve any problems down the road," Cheney said.

The tour came a week after GM announced a 25-year collaboration with General Hydrogen Corp., a pioneer in fuel-cell technology. GM hopes the partnership will accelerate the development of fuel-cell vehicles, which create electricity directly from a reaction between hydrogen and oxygen. The vehicles emit only water vapor from their tailpipes.

Rick Wagoner, GM's president and CEO, applauded the Bush administration's energy plan.

"We believe the plan makes sense and believe the auto industry can help implement it," Wagoner said.

Rogers, who defeated state Sen. Dianne Byrum, D-Onondaga, by 110 votes in November, garnered more than \$350,000 for his campaign through the Cheney visit. He faces his first re-election bid in 2002.

The Associated Press contributed to this report.

Mr. BONIOR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I thank the gentleman from Michigan (Mr. BONIOR) for yielding me this time.

Mr. Chairman, in the 20th century the greatest resource issue was oil, but in the 21st century the greatest resource issue in the world will be water.

The freshwater resources of the Great Lakes are as precious to the U.S. as oil is to the Middle East. It is our health. It is our wealth. It is our economic future. It is our environmental future. Clean water is a basic right in a democratic society. The oil companies should not be permitted to privatize the Great Lakes.

The Bible tells a story of Esau, who sold his birthright for a mess of pottage. Let us not sell America's birthright to one of the greatest supplies of fresh water in the world for a mess of oily pottage in the false name of energy security.

Mr. BONIOR. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from the great State of Minnesota (Mr. LUTHER).

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Mr. LUTHER. Mr. Chairman, I thank the gentleman from Michigan (Mr. BONIOR), the gentleman from Michigan (Mr. STUPAK), and the gentlewoman from Ohio (Ms. KAPTUR) for their outstanding leadership on this issue.

I am from Minnesota, a State with a proud heritage of protecting our natural resources for future generations. In fact, in the late 1980s, Minnesota took part in enacting a multi-State ban on oil and gas drilling in the waters of the Great Lakes. Yet, today, discussion persists about drilling in this pristine area, particularly directional or slant drilling, is what is being discussed.

Since 1979, the seven existing directionally drilled wells have produced enough energy to cover less than a half day of our Nation's consumption. Think about this: risking the Nation's largest supply of fresh water for a few hours of consumption.

As a Nation, we must not fall back into the old way of doing things in this country. We will never get balance in our energy policies if we continue to debate drilling in our Nation's most pristine areas.

I urge this Congress to have the vision to develop new approaches to energy policy in this country. I urge Members to consider the ramifications, before risking this resource for a few hours of energy consumption. Let us give our children and their children the splendor of the Great Lakes coastline.

Mr. BONIOR. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from the State of Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chairman, I rise today to strongly oppose drilling of any kind in the Great Lakes. Just visit Minnesota's North Shore and you will immediately know why. Lake Superior is a constant source of wonder for many of us in this country. It helped to shape our landscape, our climate, it supports our economy, and it enhances our quality of life.

I oppose drilling not because we do not need to find additional energy resources. We do. But these lakes are just too valuable and too many families' lives would literally be at risk without fresh drinking water. It is simply not worth the risk.

We are making progress in using energy more efficiently, reducing our reliance on coal and natural gas through energy efficiency and technology; but we must work hard to make bigger investments in current programs to do more.

Investments do not always have to cost money either. We can and we must reduce our consumption by supporting wind, solar power and renewable fuels, like ethanol, which we produce in Minnesota.

Future generations depend on us not to jeopardize today's greatest natural resources. An oil spill or any related disaster on the shores of the Great Lakes would impact fresh drinking water for 35 million people, and for what? For less than 1 day's worth of oil and natural gas.

The Great Lakes are important to this Nation. They are important to my State. They are important to the families in this country. They have been crucial in our historical and economic development. Our communities continue to play a critical role in Minnesota, and water is a part of that.

I urge my colleagues to protect today's drinking water for future generations. I urge my colleagues to support this amendment.

Mr. BONIOR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Chairman, I thank my friend from Michigan for yielding me time. I especially want to thank the gentleman from Michigan (Mr. STUPAK), the gentleman from Michigan (Mr. BONIOR), the gentleman from Wisconsin (Mr. BARRETT), the gentlewoman from Ohio (Ms. KAPTUR), and other colleagues from the Great Lakes region for consistently championing the preservation and protection of these precious lakes.

I live on Lake Erie and appreciate the lake for its natural beauty. But Lake Erie is far more than a pretty backdrop. Ohioans rely on the lake for our region's economic well-being. We rely on Lake Erie to ship goods, to provide us with drinking water, to play host for recreational activities, and to attract tourists from all over the world.

The Great Lakes contain 20 percent of all the fresh water in the world; and yet attempts are now being made to expand so-called directional drilling under the beds of the Great Lakes, jeopardizing the water, the shorelines, and the surrounding wetlands. These attempts are being made even though the existing oil and gas wells in operation under the Great Lakes have not produced enough oil and gas to fuel our domestic needs for even a single day.

President Bush's solution for the country has been to drill early and

drill often. Drill in the Arctic National Wildlife Preserve, drill in the Gulf of Mexico, drill in the five Great Lakes. Instead of pursuing fossil fuels to the end of the Earth, Congress should author an energy policy that addresses both the immediate and long-term energy needs of our people.

We should explore for additional courses of oil and gas, but we cannot drill our way out of dependence on foreign oil. Any strategy that calls for drilling in the Great Lakes, where there is more drinking water than any other place on Earth, fails even the most basic risk-reward analysis.

Fossil fuels are a finite resource. Instead of risking despoiling of every piece of ground or water under which fossil fuels may reside, we must focus instead on using energy resources more efficiently, increasing our use of renewable fuels and encouraging conservation.

Last week, this body supported an amendment that afforded protection to the coast of Florida from the potential ravages of oil and gas exploration. Today I ask my colleagues to afford the Great Lakes the same protection.

Mr. BONIOR. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding me time, and I congratulate him and the gentleman from Michigan (Mr. STUPAK) and others on both sides of the aisle for sponsoring this amendment.

Mr. Chairman, this should not be, in my opinion, a hard decision for us to make. The risk is too great, when you consider the damage a spill would cause to one of the world's environmental treasures. Twenty percent of the world's fresh water is contained in the Great Lakes. It is much too precious to risk for additional drilling. And what would that drilling get us? The existing 13 wells have produced enough over their lifetime to provide only approximately a quarter of 1 day's use of natural gas in this country, and only approximately 2 percent of 1 day's use of petroleum. At what cost? I cannot imagine what type of drilling would have to occur to make a serious dent in Michigan's energy needs.

Since receiving criticism for taking the hard road of production versus conservation, the Bush administration has tried to say nice things about conservation. But the facts are clear: the Bush budget proposed to cut the Department of Energy's renewable energy and efficiency programs by almost 30 percent. It cut innovative technologies like wind, solar, and hydroelectric research by 50 percent. The American people clearly do not want to see a policy of drilling at all costs, and the people of Michigan do not want it either.

I urge my colleagues to support this very excellent amendment.

Mr. BONIOR. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Chairman, I would like to thank my colleagues for

having the tenacity and the guts to stand up and talk about no drilling in the Great Lakes.

When I was a little girl studying about geography in the Cleveland public school system, people used to say to us, how do you remember the names of the Great Lakes? And they used to tell us to call it "HOMES," Huron, Ontario, Michigan, Erie, and Superior.

So when I think about the Great Lakes, I think about it as home to 20 percent of all the freshwater resources, home to all the species of fish and wildlife that live around those lakes, home to millions of Ohio residents, Michigan residents, Minnesota residents, Illinois residents, and the residents of all the 50 States.

Now, I know that the Army Corps of Engineers holds the Great Lakes in the public trust, but I also know that this Congress is obligated to give direction and guidance to the Army Corps of Engineers. By this amendment, we can give them direction and guidance and say no direct drilling in the Great Lakes.

Mr. BONIOR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Wisconsin (Mr. KLECZKA).

Mr. KLECZKA. Mr. Chairman, let me thank the gentleman from Michigan for yielding me time.

Mr. Chairman, I rise today in strong support of the amendment to prohibit the Army Corps from issuing any permits to provide for directional drilling for either natural gas or oil on the Great Lakes.

Mr. Chairman, I live on a great lake, Lake Michigan. My district borders the lake. I want to point out to the Members, especially those opposed, that Lake Michigan alone provides fresh clear drinking water to about 10 million residents of not only Wisconsin, but also Michigan and Illinois.

I hear from the opponents saying we need more drilling and we need more drilling and we need more drilling, but I have yet to hear the word "conservation."

I would like to point out to the Members that in the 22 years that drilling has occurred on the Great Lakes, a grand total of 439,000 barrels of crude oil has been extracted. Well, if you would support us and increase the fuel efficiency for automobiles, light trucks, and SUVs by only a small amount, we could save 1 million barrels of crude per day in this country, obviating the need to go into fresh water areas like the Great Lakes, which, as has been said many times, has 20 percent of the world's fresh water, and provide for drilling and looking for crude on that great body of water.

Mr. BONIOR. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, I simply want to take the time to thank the two gentlemen for offering this amendment. The greatest body of fresh water

in the world is Lake Superior. Lake Michigan is certainly not far between. The only proper level of risk to such a pristine resource is zero risk. I congratulate the gentlemen for offering the amendments.

Mr. BONIOR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank my colleague for his comments and support on this.

Mr. Chairman, again I want to thank my friend, the gentleman from Michigan (Mr. STUPAK), for his leadership on this and all the colleagues who have spoken on this issue.

The State of Michigan is a very gorgeous State. We are talking about more than just Michigan here, we are talking about all the Great Lakes States and the connecting waterways that touch them.

But I would like to focus in on my State for a second, if I could, because we have had a history, Mr. Chairman, of being ravaged. If you go back 300 years ago, John Jacob Astor and his ilk came into our State and they took the fur and the animals out of our Great Northwest. It took them about 5 years before they depleted some of the most precious resources we had, leaving extinct many of the most important mammals in our Northwest region.

Then, of course, in the next century, after the pine had been exhausted in Maine, the lumbermen came into the State of Michigan, and built the country. At one point, the State of Michigan was 17/18ths trees. We had pine, white pine, as tall as some of the great redwoods out West today, reaching 200 feet in the air; and they were leveled. Thanks to Franklin Roosevelt and the CCC and the second growth policy of replanting during those 9 years during the Great Depression, the CCC and the 90,000 workers planted, Mr. Chairman, 465 million trees in our State.

Then the Boston mineral magnates came in, and they took the iron and the copper that Houghton, Burke, and all the others discovered in our great State.

I give you this history, because now the attack is on our water resources. And if you do not believe my word today, all you need to do is review the record in our State. We have 11,000 inland lakes. Every one of them is filled with mercury.

I went and got my fishing license the other day. They gave me a little booklet that said if you are a pregnant woman or 15 years of age or under, you cannot eat a good amount of the fish in the inland lakes. The Governor of our State has issued permits to dump raw and untreated sewage in our rivers and streams, to the point now where many of our beaches are closed in our State because of E. coli bacteria.

□ 1800

And now he is pursuing a policy of drilling in the Great Lakes, extending 30 more wells. We do not need that. Oil and water do not mix.

I think it has been made very clear today that this is our most precious re-

source. A fifth of the fresh water on the planet is in our region, and we need to protect it. We need to protect it from diversion, we need to protect it from drilling, we need to protect it from being polluted with E. coli bacteria in our rivers and streams and closing our beaches; we need, as my colleague from Michigan (Mr. STUPAK) has said on numerous occasions, a water policy for our State. We do not have it. Until we do, we need to do all we can to protect this most valuable resource.

So I ask my colleagues, please, do not create this picture. For all of my colleagues who come up into our beautiful State, who travel up into Michigan, from the South, from the east coast, from the other parts of the Midwest who come to vacation, they do not come to see this, they come to swim in our lakes, they come to use our beautiful sand dunes, they come to fish in our waters, they come to rest on our beaches, and they come to drink our wonderful water.

So, Mr. Chairman, I would say to my colleagues, thank you for your support on this amendment. Vote for the amendment that has been offered, and make sure that we can save one of the most precious resources that God has given our planet.

Mr. Chairman, I yield back the balance of my time.

Mr. CALLAHAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Chairman, I want to commend my colleague from Michigan.

This is a solution, though, that is looking for a problem. There is not one State in the Great Lake States that allows offshore drilling, not one. There is a moratorium on new angle drilling wells in Michigan. What are we doing? This is not about protecting the Great Lakes. This is not about talking about protecting the diversion of our water; not at all. What we have here is a direction that many in this Chamber I hope would disagree, including those who may have ambitions to hold office of Governor. I trust my Governor. I trust the Governors of the Great Lake States to be in charge of the water of the Great Lake States.

As a matter of fact, underneath the Great Lakes today, there is about 22,000 barrels of crude oil an hour flowing under the Great Lakes. There are 550 offshore wells in Canada. This bill addresses none of that. There are 5 million tons of oil bobbing around on the Great Lakes every year, 20 spills a year in our Great Lakes. This amendment does nothing to address any of those issues.

This is not about protecting the Great Lakes; this is about the Federal Government going into the State of Michigan and telling the legislators there, you do not know what you are doing. Do we want to talk about our Great Lakes? You ought to live there in February. You ought to have to put

up with the cold weather in the winters and the high degree of snow. Let us not get confused about what we are doing here.

There are some great protections of our Great Lakes, and I trust those Governors, and I trust those legislators to do the right thing.

I want to say it again, because this is very important, I heard it 10 times tonight if I heard it once, that somebody is out there trying to build an oil rig in the Great Lakes, and they are going to do it now, and President Bush is leading the charge. There is not one State in the Great Lakes that allows offshore drilling, not one. There is a moratorium on directional drilling in the State of Michigan today. So what are we doing?

Mr. Chairman, I do not believe that a bureaucrat in Washington whose only experience with the UP is a picture in the National Geographic is going to do anything for the protection of our shoreline, our Great Lakes. I want people who live there. The gentlewoman from Ohio talked about home, and that is how we learn the names of those Great Lakes. Why? Because we live there. We see the water, we see the pollution, we fought back and took back Lake Erie, and now we can eat the fish. We could not about 10 or 15 years ago. Why? Because the people of the Great Lake States stood up. It is nothing that Congress did. It is not us arguing this issue, it is the people around the Great Lakes. Why? Because those in California are taking care of California needs in their districts, and those legislators who are State-elected and Governors who are elected by all of the people of the Great Lake States are protecting our Great Lakes.

Mr. Chairman, I have a passion for this stuff as well. We have a real difference of opinion on what we are doing here. Diversion of water. There is a bill in this House to empower Congress to decide what happens on diversion issues in the Great Lakes. The last I checked, Kansas and Arizona and New Mexico and California could use a bit extra water, and last I checked, there are more of them than there are of us. It has no business in this Chamber. It has all the business in the chambers in our State legislatures back home.

This is a solution that is looking for a problem.

There is this package of bills in, and I have done many of them, one to encourage the States to protect the diversion of that water, the States to do it. I have a bill in that continues the ban on offshore drilling in our Great Lakes and goes after the 550 wells currently in operation in Canada that are out in the water. Even the industry tells us they do not want to put a pipe in that fresh water. They do not want to do it. Anything that touches the water they do not want to be a part of. We ought to applaud them for it, and we ought to stand up with them today.

But what the Federal Government can give us, they can take away. Pret-

ty soon, maybe the faces of this Chamber will change, and maybe pretty soon the folks in this Chamber will decide that we want oil in the Great Lakes, and since many of us do not live there, and the bureaucracies of Washington, D.C., that do not get to visit there much are going to decide, maybe it is worth it.

The thing that will protect us then, my good esteemed colleagues, is our State legislators and our Governors of those great States.

Mr. Chairman, I want to urge this body to reject this amendment, to throw away all the rhetoric about how this is going to pollute the water and people are rushing to put platform drilling in the Great Lakes, and they cannot wait for that oil to gush through Lake Superior and Lake Michigan. That is just absolutely not true.

What I would encourage the gentleman from Michigan to do is to work with us. Let us take a look at studying how good of shape those pipes are that are pumping those 22,000 gallons a minute under the Great Lakes today. Let us get together and tell Canada, get off the water. Shut down those rigs that are on the water pumping today. What are we going to do to make sure that those ships bobbing around out there carrying 5 million tons of oil are safe and do not have 20 spills on average a year?

Does the gentleman want to do something for the Great Lakes? Let us be a partner with them and help them solve those problems. Let us not flex our muscles as the Federal Government and come in and tell those legislators, you really do not know what you are doing out here. We are here to help you.

I used to be an FBI agent, and when I would walk into a local police station and tell them that, I did not get a warm welcome then, and I can tell you, Congress is not going to get a warm welcome in the State halls in Lansing.

Mr. Chairman, this is an important issue. It is an extremely important issue. I grew up on a lake. I want that lake safe for my kids. I want them to go to Lake Michigan and be able to play in the water and not have to worry about turning green when they come home. I want them to be able to eat the fish in Lake Erie. Meaning no disrespect to this Chamber, I just came from the State legislature, and I have seen the good things that Congress can do, and I have seen the bad things that Congress can do, and I served with some very bright people in that State legislature. I served with a great Governor who understood that we had to protect our Great Lakes while we have a moratorium on drilling. I want those people empowered to make a difference for our Great Lakes.

I would urge this body's strong rejection of the Federal Government encroaching into the business of Great Lake States.

I applaud all of the Members for getting up here and talking about their

passion for protecting our greatest natural resource there. Well, let us do it. Let us be a partner with the States. Talk to our State legislators, talk to our Governors. They will be with us. Talk to the people and ask them, who do they want to protect their Great Lakes? Is it the people that get up every morning and eat breakfast there and go off to work and send their kids off to school every day, 7 days a week; or is it a bureaucrat that they have never met in the halls of some bureaucracy over here who is going to make an arbitrary decision on how it ought to look; or is it a Member from California who stands up and passionately argues, maybe 40 or 50 years from now, that it is worth the risk to stick a pipe in fresh water?

Stand up for our Great Lakes today. Stand up for the environment of Michigan, Ohio, Pennsylvania, Indiana, Minnesota, all of those speakers' home States. Stand up for it by rejecting the Federal Government's role of encroaching on our ability back home to protect our greatest national resource. I would urge this body's rejection of the Bonior amendment.

Mr. LEVIN. Mr. Chairman, I rise in strong support of the amendment offered by my colleague Representative BONIOR. I urge its passage by the House.

There should not be any controversy over this issue. The Great Lakes should not be put at risk just so energy companies can extract a few weeks' supply of oil. It was with a certain amount of disbelief that I learned that Governor Engler and the Michigan Department of Natural Resources had proposed to lift a 1997 moratorium restricting new development of oil and gas drilling under the Great Lakes. I believe this proposal is short-sighted.

The Great Lakes are a vital natural resource to Michigan. The Lakes are our State's crown jewels, and the heart of Michigan's multi-billion-dollar tourist industry. In addition, the Great Lakes contain 20 percent of the world's fresh water. Why would we ever choose to place all this at risk? The environmental damage from an oil spill would be catastrophic.

The amendment before the House today is only common sense. It would bar any funds in this bill from being used to expand oil and gas drilling beneath the Great Lakes.

Mr. Chairman, the Great Lakes are an invaluable resource to the people of Michigan and, indeed, the entire country. The Great Lakes are also part of the environmental legacy we will leave to our children and grandchildren. I urge all my colleagues to join me in voting for the Bonior amendment.

Mr. CALLAHAN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. BONIOR).

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. BONIOR. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan (Mr. BONIOR) will be postponed.

Mr. CALLAHAN. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SHIMKUS) having assumed the chair, Mr. SIMPSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes, had come to no resolution thereon.

PROVIDING FOR CONDITIONAL ADJOURNMENT OF THE HOUSE AND RECESS OR ADJOURNMENT OF THE SENATE

Mr. YOUNG of Florida. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 176) and ask unanimous consent for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 176

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, June 28, 2001, or Friday, June 29, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, July 10, 2001, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, June 28, 2001, Friday, June 29, 2001, Saturday, June 30, 2001, Monday, July 2, 2001, Tuesday, July 3, 2001, Thursday, July 5, 2001, Friday, July 6, 2001, or Saturday, July 7, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, July 9, 2001, or until such time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore (Mr. SHIMKUS). Is there objection to the request of the gentleman from Florida?

Mr. OBEY. Mr. Speaker, reserving the right to object, I would simply have one question.

I notice that the concurrent resolution indicates that the House would adjourn on either Thursday or Friday. In light of the fact that Members were told that there would be no votes on Friday, my question is why is this language there? It is my understanding that the language is there simply to permit filing of a document, but that there would, in fact, be no session on Friday and no votes. Is that a correct understanding?

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Speaker, the gentleman is correct. Let me state just briefly that the plan will be to convene the house at 9 o'clock in the morning. We will conclude the consideration of the appropriations bill for energy and water. At the conclusion of that bill, we will then begin the rule and the bill for the agriculture appropriations. We will proceed into the evening on the agriculture appropriations bill on tomorrow, Thursday, and at a reasonable time we will make a determination as to how late we will go tomorrow night.

The gentleman is correct that, as I announced with the approval of the leadership yesterday, Members can expect that there will be no votes on Friday.

Mr. OBEY. Mr. Speaker, further reserving the right to object, I think Members need to know what the reality is in terms of their catching planes. They were told the day before yesterday that we would not be into a long march into the night on Thursday. Could the gentleman give us some idea of how long the majority is intending to proceed so that Members on both sides have some idea of what to do with their plane reservations?

□ 1815

Mr. YOUNG of Florida. If the gentleman would yield further. As we discussed yesterday on this subject, we will very likely plan to go late tomorrow night, but also as we discussed, we would not go beyond midnight, or a reasonable time in the evening, if it appears that we have no opportunity to conclude the bill.

Mr. Speaker, I doubt that we will be able to conclude the bill on tomorrow. I would suspect the House could work its will for an earlier departure.

Mr. OBEY. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. SHIMKUS) Is there objection to the request of the gentleman from Florida?

There was no objection.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF A CONCURRENT RESOLUTION FOR THE ADJOURNMENT OF THE HOUSE AND SENATE FOR THE INDEPENDENCE DAY DISTRICT WORK PERIOD

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 107-117) on the resolution (H. Res. 182) providing for consideration of a concurrent resolution providing for adjournment of the House and Senate for the Independence Day district work period, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2330, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 107-118) on the resolution (H. Res. 183) providing for consideration of the bill (H.R. 2230) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LIMITATION ON AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2311, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2002

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 2311 in the Committee of the Whole pursuant to the House Resolution 180, no further amendment to the bill shall be in order except:

(1) the following amendments, each of which shall be debatable for 20 minutes: Mr. TRAFICANT of Ohio, regarding drilling; Mrs. BERKLEY of Nevada, regarding nuclear waste.

(2) the following amendments, which shall be debatable for 10 minutes: Mr. TRAFICANT of Ohio, regarding Buy American; Mrs. JOHNSON of Texas, regarding bio/environmental research; Mrs. KELLY of New York, regarding the Nuclear Regulatory Commission Inspector General salaries and expenses.

(3) the following additional amendment, which shall be debatable for 60 minutes: Mr. DAVIS of Florida, regarding the Gulf Stream natural gas pipeline.

Each additional amendment may be offered only by the Member designated by this request, or a designee; shall be considered as read; shall be debatable for the time specified, equally divided and controlled by the proponent and an opponent; shall not be subject to

amendment; and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

Mr. VISCLOSKY. Mr. Speaker, reserving the right to object, if I can make an inquiry to the gentleman.

Mr. Speaker, my understanding is that the procedure tomorrow morning is that the House will go into session at 9 a.m., and we will immediately begin to vote on those matters that have been deferred, beginning with the Tancredo amendment, relative to the general investigations dealing with \$9.9 million, that would be a 15-minute vote; the second Tancredo amendment would then be a 5-minute vote in sequence; the Hinchey amendment would be a 5-minute vote; the Kucinich amendment would be a 5-minute vote; and then there would be a 5-minute vote on the Bonior amendment? Those all would be taken together? There would be no break in time after the Kucinich amendment and the Bonior amendment?

Mr. CALLAHAN. Mr. Speaker, will the gentleman yield?

Mr. VISCLOSKY. I yield to the gentleman from Alabama.

Mr. CALLAHAN. The gentleman from Indiana is correct.

Mr. VISCLOSKY. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

HOUR OF MEETING ON THURSDAY, JUNE 28, 2001

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

22ND ANNUAL REPORT OF THE FEDERAL LABOR RELATIONS AU- THORITY FOR FISCAL YEAR 2000—MESSAGE FROM THE PRESI- DENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Government Reform:

To the Congress of the United States:

In accordance with section 701 of the Civil Service Reform Act of 1978 (Public Law 95-454; 5 U.S.C. 7104(e)), I transmit herewith to you the Twenty-second Annual Report of the Federal Labor Relations Authority for Fiscal Year 2000.

GEORGE W. BUSH.
THE WHITE HOUSE, June 27, 2001.

EXECUTIVE ORDER BLOCKING PROPERTY OF PERSONS WHO THREATEN INTERNATIONAL STA- BILIZATION EFFORTS IN THE WESTERN BALKANS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107- 91)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(b) (IEEPA), and section 301 of the National Emergencies Act, 50 U.S.C. 1631, I hereby report that I have exercised my statutory authority to declare a national emergency in response to the unusual and extraordinary threat posed to the national security and foreign policy of the United States by (i) actions of persons engaged in, or assisting, sponsoring, or supporting, extremist violence in the former Yugoslav Republic of Macedonia, southern Serbia, the Federal Republic of Yugoslavia (FRY), and elsewhere in the Western Balkans region, and (ii) the actions of persons engaged in, or assisting, sponsoring, or supporting acts obstructing implementation of the Dayton Accords in Bosnia or United Nations Security Council Resolution 1244 of June 10, 1999, in Kosovo. The actions of these individuals and groups threaten the peace in or diminish the security and stability of the Western Balkans, undermine the authority, efforts, and objectives of the United Nations, the North Atlantic Treaty Organization (NATO), and other international organizations and entities present in those areas and the wider region, and endanger the safety of persons participating in or providing support to the activities of those organizations and entities, including United States military forces and Government officials. In order to deal with this threat, I have issued an Executive order blocking the property and interests in property of those persons determined to have undertaken the actions described above.

The Executive order prohibits United States persons from transferring, paying, exporting, withdrawing, or otherwise dealing in the property or interests in property of persons I have identified in the Annex to the order or persons designated pursuant to the order by the Secretary of the Treasury, in consultation with the Secretary of State. Included among the activities prohibited by the order are the making or receiving by United States persons of any contribution or provision of funds, goods, or services to or for the benefit of any person designated in or pursuant to the order. In the Executive order, I also have made a determina-

tion pursuant to section 203(b)(2) of IEEPA that the operation of the IEEPA exemption for certain humanitarian donations from the scope of the prohibitions would seriously impair my ability to deal with the national emergency. Absent such a determination, such donations of the type specified in section 203(b)(2) of IEEPA could strengthen the position of individuals and groups that endanger the safety of persons participating in or providing support to the United Nations, NATO, and other international organizations or entities, including U.S. military forces and Government officials, present in the region. The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to issue regulations in exercise of my authorities under IEEPA to implement the prohibitions set forth in the Executive order. All Federal agencies are also directed to take actions within their authority to carry out the provisions of the order, and, where appropriate, to advise the Secretary of the Treasury in a timely manner of the measures taken.

I am enclosing a copy of the Executive order I have issued. The order was effective at 12:01 a.m. eastern daylight time on June 27, 2001.

I have issued the order in response to recent developments in the former Yugoslav Republic of Macedonia, southern Serbia, and elsewhere in the Western Balkans region where persons have turned increasingly to the use of extremist violence, the incitement of ethnic conflict, and other obstructionist acts to promote irredentist or criminal agendas that have threatened the peace in and the stability and security of the region and placed those participating in or supporting international organizations, including U.S. military and Government personnel, at risk.

In both Macedonia and southern Serbia, individuals and groups have engaged in extremist violence and other acts of obstructionism to exploit legitimate grievances of local ethnic Albanians. These groups include local nationalists who fought with the Kosovo Liberation Army in 1998-99 and have used their wartime connections to obtain funding and weapons from Kosovo and the ethnic Albanian diaspora. Guerrilla attacks by some of these groups against police and soldiers in Macedonia threaten to bring down the democratically elected, multi-ethnic government of a state that has become a close friend and invaluable partner of NATO. In March 2001, guerrillas operating on the border between Kosovo and Macedonia attempted to fire upon U.S. soldiers participating in the international security presence in Kosovo known as the Kosovo Force (KFOR). Guerrilla leaders subsequently made public threats against KFOR.

In southern Serbia, ethnic Albanian extremists have used the Ground Safety Zone (GSZ), originally intended as a buffer between KFOR and FRY/Government of Serbia (FRY/GoS) forces, as a

safe haven for staging attacks against FRY/GoS police and soldiers. Members of ethnic Albanian armed extremist groups in southern Serbia have on several occasions fired on joint U.S.-Russian KFOR patrols in Kosovo. NATO has negotiated the return of FRY/GoS forces to the GSZ, and facilitated negotiations between Belgrade authorities and ethnic Albania insurgents and political leaders from southern Serbia. A small number of the extremist leaders have since threatened to seek vengeance on KFOR, including U.S. KFOR.

Individuals and groups engaged in the activities described above have boasted falsely of having U.S. support, a claim that is believed by many in the region. They also have aggressively solicited funds from United States persons. These fund-raising efforts serve to fuel extremist violence and obstructionist activity in the region and are inimical to U.S. interests. Consequently, the Executive order I have issued is necessary to restrict any further financial or other support by United States persons for the persons designated in or pursuant to the order. The actions we are taking will demonstrate to all the peoples of the region and to the wider international community that the Government of the United States strongly opposes the recent extremist violence and obstructionist activity in Macedonia and southern Serbia and elsewhere in the Western Balkans. The concrete steps we are undertaking to block access by these groups and individuals to financial and material support will assist in restoring peace and stability in the Western Balkans region and help protect U.S. military forces and Government officials working towards that end.

GEORGE W. BUSH.
THE WHITE HOUSE, June 27, 2001.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a record vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken tomorrow.

CHILD PASSENGER PROTECTION EDUCATION GRANTS EXTENSION

Mr. SIMPSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 691) to extend the authorization of funding for child passenger protection education grants through fiscal year 2003.

The Clerk read as follows:

H.R. 691

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CHILD PASSENGER PROTECTION EDUCATION GRANTS.

Section 2003(b)(7) of the Transportation Equity Act for the 21st Century (23 U.S.C. 405 note; 112 Stat. 328) is amended by striking “and 2001” and inserting “through 2003”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Idaho (Mr. SIMPSON) and the gentleman from Washington (Mr. LARSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Idaho (Mr. SIMPSON).

GENERAL LEAVE

Mr. SIMPSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on H.R. 691.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. SIMPSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to express my support for the bill of the gentleman from Minnesota (Mr. OBERSTAR), H.R. 691. This noncontroversial legislation will extend the life of the Child Passenger Protection Education Grant Program for an additional 2 years. TEA-21 authorized \$7.5 million for fiscal year 2000 and 2001 to fund this program.

This legislation simply extends that authorization for an additional 2 years, to fiscal year 2003, making the program consistent with the reauthorization timeline of TEA-21.

Forty-eight States, the District of Columbia, and the Territories have all received grants through this Child Passenger Protection Education Grant Program. These grants are designed to prevent deaths and injuries to children, educate the public concerning the proper installation of child restraints, and train child passenger safety personnel concerning child restraint use.

Mr. Speaker, the Committee on Transportation and Infrastructure reported H.R. 691 by a voice vote on May 16, 2001; and today I ask that the House suspend the rules and pass H.R. 691.

Mr. Speaker, I reserve the balance of my time.

Mr. LARSEN of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we bring to the floor H.R. 691, a bill to extend the child passenger protection education program and preserve our Nation's most precious resource, our children.

H.R. 691 authorizes \$7.5 million from the general fund for each of the fiscal years 2002 and 2003, to make incentive grants to States to implement child passenger protection programs. Unlike other TEA-21 programs, the child passenger protection education grant program expires at the end of 2001.

H.R. 691 extends the program to 2003, consistent with the authorization period for other TEA-21 programs.

Mr. Speaker, H.R. 691 does not affect direct spending, therefore, offsetting

spending reductions are not required. The objective of the bill and the program it authorizes is to prevent deaths and injuries to children, educate the public concerning the proper installation of proper restraints, and train child passenger safety personnel concerning child restraint use.

Every day children sustain injuries or die in motor vehicle crashes. In 1999, more than 1,100 children under the age of 10 were killed in motor vehicle crashes and another 182,000 were injured.

Many of these injuries and deaths could have been avoided with the correct use of safety seats and seat belts; however, many adults are unaware they are using safety restraints incorrectly or not at all, thereby placing their child at risk.

In the fiscal year 2000, in my own State of Washington, child passenger protection education grant funds were used to train 196 law enforcement and child passenger safety certified technicians and 11 certified instructors, establish 25 law enforcement community child passenger safety teams covering 27 of the 39 counties in the State focusing on Native American and Hispanic populations, and conduct 75 child passenger safety awareness events.

In fiscal year 2001, my State of Washington is using its funds to train an additional 100 child passenger safety technicians, conduct additional events and clinics, establish additional community child passenger safety teams, and implement a public education program to promote the Nation's first booster seat law.

Mr. Speaker, these types of activities are being reflected in State programs across the Nation, the emphasis being placed on cultural and ethnic minorities, rural and low-income and special needs populations, and documented low-usage areas based upon available surveys and crashing data.

The child passenger protection education program is reducing the number of children being killed in traffic crashes across the country and is deserving of our strong support. I strongly support the bill and urge its approval.

Mr. Speaker, I yield 3 minutes to my colleague, the gentleman from Pennsylvania (Mr. BORSKI).

(Mr. BORSKI asked and was given permission to revise and extend his remarks.)

Mr. BORSKI. Mr. Speaker, let me first commend the manager of the bill, the gentleman from Washington (Mr. LARSEN), who has become a very productive member of the Committee on Transportation and Infrastructure in his short time here.

Mr. Speaker, I would also like to pay my compliments to the distinguished gentleman from Minnesota (Mr. OBERSTAR), ranking member of the full committee, who is a great Member of Congress and a great leader of transportation.

I do not know of anyone in the Congress who has been a better protector

of the traveling public, and I want to commend him for his wisdom in sponsoring this bill and bringing it before the Congress today.

Mr. Speaker, in the last 25 years, the Nation has made significant gains in child passenger safety. Since 1975, child restraint systems have saved the lives of more than 4,000 children involved in automobile crashes.

During that time, the fatality rate for children has decreased steadily; however, the number of deaths has not dropped rapidly due to population increases and a doubling of highway travel. In 1999, 1,135 children, 10 years of age and under were killed; and 182,000 were injured in highway crashes.

Child restraint systems are effective. In 1998, only 8 percent of all children under age 5 rode unrestrained, but they accounted for more than half of all child-occupant fatalities.

Without doubt, the single most effective way to protect our children in the event of a crash is to ensure that all children are buckled up in their appropriate restraint system on every trip.

H.R. 691 will help us do that. The bill will support State programs to educate the public on child restraints and help us continue to reduce the tragic toll of deaths and injuries of our children on the Nation's highways.

In fiscal year 2000, Mr. Speaker, the State of Pennsylvania received \$323,000 in Child Passenger Protection Education Grant funds to establish child passenger safety fitting stations in all State police barracks and increase the awareness of rural and minority populations in the State.

In fiscal year 2001, the State is using its funds to purchase 17 mobile fitting stations, fund child safety passenger safety courses, and develop new materials to promote child passenger safety among health and medical personnel.

Mr. Speaker, I, again, want to commend the gentleman from Minnesota (Mr. OBERSTAR) for his leadership in bringing this measure before us, and I strongly support the bill and I urge its approval.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the Committee on Transportation and Infrastructure.

□ 1830

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman from Washington for yielding me this time.

Mr. Speaker, I join the gentleman from Pennsylvania (Mr. BORSKI), ranking member of the Subcommittee on Highways and Transit in complimenting the gentleman from Washington (Mr. LARSEN) on his leadership and his hard work in being a very studious, energetic member of our Committee on Transportation and Infrastructure and on this particular subcommittee as well. I thank the gentleman from Pennsylvania for his very kind comments. I am grateful for those good words.

I also want to express my sincere appreciation to the chairman of the full committee, the gentleman from Alaska (Mr. YOUNG), for agreeing to move this legislation quickly and the gentleman from Wisconsin (Mr. PETRI), chair of the Subcommittee on Highways and Transit for moving this bill, recognizing that there is a deadline upon us that we must close and we must get this legislation enacted so that the programs can be funded.

I introduced this bill on Valentine's Day earlier this year to protect our most cherished loved ones, our children. I was an advocate in ISTEA and again in TEA-21 for this legislation for its funding, which has provided \$7.5 million in each of the previous fiscal years for the child protection education grant program.

But unlike the other programs of TEA-21, this particular program expired this year. So we need to provide authorization for funding in the coming fiscal years 2002 and 2003 so that the excellent work can get under way again and continue programs that the States have so vigorously and effectively initiated.

In 1999, there were 1,400 children under the age of 15 killed in vehicle crashes and another 300,000 who were injured. But the startling statistic is six out of the 10 killed in those crashes were unrestrained. That is not acceptable.

The previous administration established a goal to increase seatbelt use nationwide and reduce child occupant fatalities, a goal of 15 percent by 2000 and 25 percent by 2005. The grant program has been very effective in achieving those goals.

Congress did provide the funds. Forty-eight States and the District of Columbia and the territories have received grants under the program. Since 1997, the number of child fatalities from traffic crashes has declined 17 percent. That exceeded the goal, 15 percent, by the end of last year.

Restraint for children, infants has risen to 97 percent from where it was in 1996, 85 percent. For children age one to four, it is up from 60 percent in 1996 to 91 percent for last year.

Now, I have a personal witness of how effective this program can be. My late wife and I insisted with our children that they all use their child restraint, seatbelt, car seat. Those children, the oldest two right now are old enough to have their own family and their own children.

When I am in Kenosha, Wisconsin, visiting the Tower family, Emma, age 4, and Lilly, age 2, will not allow the ignition in the car to be turned on until they are buckled into their seats and safely strapped in. That is the first thing they do when they get in the car.

When I am in Sacramento with son Ted Oberstar and granddaughter Katherine, age 4, and granddaughter Claire, age 2, the same story. Grandpa, we cannot move until we are buckled up. And buckled up comfortably, too, by the

way. They want to be just right in that seat. Then they want to make sure that I am buckled in because, once in a while, I am so busy dealing with them and other things and talking that I do not strap myself in before the key is turned on; and they say, make sure that grandpa is buckled in.

Education works, and it is passed on from one generation to the next. That is the message. The program that we have instituted has proven itself. It has prevented death. It has prevented injuries. It helps educate the public on all aspects of proper installation of child restraints.

Children today of the age when we began teaching them child restraint seats is an important safety issue now are insisting on buying vehicles that are properly equipped with the right kind of seat restraint facilities in the car to accept any kind of child restraint seat or infant carriage device.

My oldest daughter will not nurse her now 10-week-old child while the car is moving. Believe me, that is not very pleasant when you have a poor little baby who is very hungry, who wants to nurse. But not until the car is stopped and we are not moving will that child come out of its child restraint seat.

So the point is that the message has worked. Education is effective. But not everybody has got the message. That is why we need this legislation, why we need this \$7.5 million funding. It is a modest amount. It is peanuts compared to the \$218 billion in TEA-21 over the 6 years.

It is available to train safety professionals, police officers, fire and emergency medical personnel, high school educators, grade school, elementary school educators in safety and in all aspects of child restraint use.

Every State that gets a grant submits a report to the Department of Transportation describing the activities they have carried out with the funds made available under the grant, and the Secretary of Transportation will report to Congress within the coming year on the success of this program with a complete description of all the programs carried out, materials developed, and the success stories from the States.

I urge the passage of this legislation by this body, promptly by the other body, signature into law by the President, and implementation with the adequate funding that we need to carry it out.

Mr. SIMPSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from Minnesota (Mr. OBERSTAR) in his dedication on this subject in making sure this gets done. It is a very important subject.

Mr. OBERSTAR. Mr. Speaker, will the gentleman yield for just a moment.

Mr. SIMPSON. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Speaker, I apologize for not thanking the gentleman from Idaho (Mr. SIMPSON) for

pinch-hitting on the floor and substituting and helping us move this bill. We are grateful for the gentleman's care and concern, and I thank him for his kind words.

Mr. SIMPSON. Mr. Speaker, I am very honored to do so. I want to thank the gentleman for his support on this subject and his interest in it and his dedication to it.

Mr. Speaker, I yield back the balance of my time.

Mr. LARSEN of Washington. Mr. Speaker, I yield back the balance my time.

The SPEAKER pro tempore (Mr. KENNEDY of Minnesota). The question is on the motion offered by the gentleman from Idaho (Mr. SIMPSON) that the House suspend the rules and pass the bill, H.R. 691.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBERS TO THE COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The SPEAKER pro tempore. Without objection, pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431), amended by Public Law 106-55, and upon the recommendation of the minority leader, the Chair announces the Speaker's appointment of the following members on the part of the House to the Commission on International Religious Freedom to fill the existing vacancies thereon, for terms to expire May 14, 2003:

Ms. Leila Sadat, St. Louis, Missouri and

Ms. Felice Gaer, Paramus, New Jersey.

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from California (Mr. HORN) is recognized for 5 minutes.

(Mr. HORN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. PETERSON) is recognized for 5 minutes.

(Mr. PETERSON of Pennsylvania addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HUNTER) is recognized for 5 minutes.

(Mr. HUNTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

STRENGTHENING UNITED STATES FOREIGN ASSISTANCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Virginia. Mr. Speaker, I would like to say a few words about a national priority that too often gets overlooked: humanitarian and development assistance in our foreign operations appropriations bill. That bill will probably be coming to the floor within the next few legislative days.

Foreign assistance is an important and effective policy device when words and diplomacy are not enough or when military action is not appropriate. Strengthening U.S. foreign assistance will improve the lives of millions of people around the world and is consistent with America's long history of extending a helping hand to those less fortunate.

We, and in fact much of the rest of the world, too easily forget the fact that, over the last half century, U.S. humanitarian and development assistance has successfully elevated the standards of living for millions of people.

More than 50 nations have graduated from U.S. assistance programs since World War II, including such nations as

France, Spain, Portugal, South Korea, Taiwan, Italy, and Germany. More than 30 of these former aid recipients have gone on to become donor nations themselves.

Over the years, foreign assistance programs have helped create some of our closest allies and best trading partners and greatest contributors to the world's economy. For example, the United States now exports to South Korea in just 1 year the total amount we gave that country in foreign assistance during all of the decades of the 1950s and 1960s.

But despite substantial global accomplishments, as we enter the new millennium greater disparities exist between the wealthy and the poor than ever before. Of the world's 6 billion people, half live on less than \$2 a day, and one-fifth live on only \$1 a day. That is more than a billion people, four times the population of the United States living on less than a dollar a day. Two billion people are not connected to any energy system. One and a half billion lack clean water. More than a billion lack basic education, health care or modern birth control methods.

Poverty, disease, malnutrition, rapid population growth, and lack of education paralyze billions of people and extinguish hope for a better future. The world's population grows by about 75 million people a year, and most of them will live in the world's poorest countries.

If current trends continue, the result will be more abject poverty, environmental damage, epidemics, and political instability; and we are not such an isolated island of prosperity that we are not immune from the ramifications of this desperation.

From our own shores to the far reaches of the world, there is ample evidence that we have not been able to use our trade policies as effectively as we would like to address the negative impact of globalization which contributes to these great disparities between the privileged and impoverished.

□ 1845

Our failure to respond adequately to these problems is a moral dilemma that should be a pivotal part of our overall foreign assistance and international trade framework. Consider, for example, the plight of the seriously ill in the developing world. It is a testament to the failure of industrialized nations that 80 times more pharmaceutical products are sold in the much less populace west than on the entire continent of Africa.

Each year, 300,000 people in Africa develop sleeping sickness, and many of them die from this disease. It is a disease that we could conquer if we had the political will and the research wallet to do it, but we do not. We will apply more of our resources to cure bald American males than African children with sleeping sickness.

The most shocking global misallocation of health resources, of

course, is the HIV/AIDS pandemic. AIDS is a global crisis which threatens the security of every government in every Nation including the United States. This is not merely a health issue, this is an economic, social, political, and moral issue. AIDS has destroyed societies, destabilized governments and has the potential to topple democracies. According to UNAIDS, nearly 22 million people have lost their lives, and over 36 million people today are living with HIV and AIDS. Fewer than 2 percent of them have access to life-prolonging therapies or basic treatment. The number of new infections of HIV is estimated at 15,000 every day, and it is growing. I am told that nearly a quarter of some of Africa's armies are HIV positive.

In a year when President Bush has requested an \$8 billion increase in spending over the current \$320 billion defense budget, U.N. Secretary General Kofi Annan has called for a global AIDS trust fund to raise \$7 billion to \$10 billion a year to combat the pandemic. That is almost the same figure as the defense spending increase that we would be adding to a \$320 billion budget. This has to be a joint effort among governments, private corporations, foundations, and nongovernmental organizations.

We are ranked last among the 22 OECD countries in terms of what we spend on foreign assistance, and we have got to spend more. It is in our interest as well as in the interest of the rest of the world. If we are going to maintain our position as the world's superpower, the most prosperous Nation in the history of western civilization, then we have got to share our resources. If we do not, we are going to pay a price in the long run.

These are national priorities, and I hope that they get better addressed in our foreign assistance budget and in our national priorities generally.

THE NATURE OF THE BEAST

THE SPEAKER pro tempore (Mr. KENNEDY of Minnesota). Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to add my voice to those who have been talking about support for a patient's bill of rights. But, of course, Mr. Speaker, not just any patients' bill of rights. I support the robust patients' bill of rights sponsored by my esteemed colleagues, Mr. MCCAIN, Mr. KENNEDY, and Mr. EDWARDS in the Senate, and the companion legislation, sponsored by the gentleman from Iowa (Mr. GANSKE) and the gentleman from Michigan (Mr. DINGELL) in the House. I support the patients' bill of rights that puts patients before profits and values human life over the bottom line.

The idea of a patients' bill of rights is nothing new to this Congress. We have all listened to the rhetoric and we

have all been involved in the debate. As a Member of Congress since 1996, I must say that it is interesting to see where this debate has gone. I find it worth commenting that the question we are now faced with is not so much whether or not we should pass a patients' bill of rights but which version we should pass. In other words, we are all in agreement that patients need to be afforded an increased level of protection from the predatory tendencies of managed care organizations.

Rather than immediately delve into the particulars of why we should prefer one version over another, I believe it is instructive to take a step back for a moment and look at the concept of a patients' bill of rights in the first place. The very idea that we need a patients' bill of rights, an idea I remind my colleagues that we all are in support of, implies the presence of an injurious element within our health care system. The simple fact that we are debating this idea means that each one of us, on some level, acknowledges the basic reality that the interests of managed care organizations tend to be adversarial to the interests of patients.

I believe that the debate over which patients' bill of rights to accept can be resolved simply by looking more closely at the nature of the beast. Too often I believe we talk about solutions without fully understanding the problem. I believe that with a careful examination of the means and motives by which managed care corporations make money, off the pain and suffering of patients, the answer to the question of which patients' bill of rights is the real patients' bill of rights becomes self-evident.

Now, what is it about managed care that is so inherently evil? Well, let me just quote one thing that Milton Friedman, a well-known advocate of free market economics, said. "Few trends could so thoroughly undermine the very foundation of our free society as the acceptance by corporate officials of a social responsibility other than to make as much money for their stockholders as possible." In other words, if we go by the dictates that managed care organizations live by, not only is it undesirable to take a patient's well-being into account, it is simply unethical to do so. Any motive other than profit is extraneous and inappropriate.

Now, obviously, this narrow-minded approach has put us in the situation that we are currently in. And I would suggest, Mr. Speaker, that we simply take stock of where we are as a country with a health care delivery system, put patients before profits, make sure that patients and their physicians have the opportunity to collaborate, to make decisions and determinations about the kind of treatment they should receive, and not some bureaucrat or clerk sitting in an office. That is the only real way to do it.

So I would urge all of my colleagues and all of America to really support the Ganske-Dingell bill so that pa-

tients can have real rights, and that is the right to be involved, the right to live, the right to get good medicine when they are in need of it.

HONORING THE NATION'S PREMIER LATINA LABOR LEADER, DOLORES HUERTA

THE SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. SOLIS) is recognized for 5 minutes.

Ms. SOLIS. Mr. Speaker, I rise today to honor one of our Nation's premier Latino labor leaders, Dolores Huerta.

Growing up in a predominantly Latino neighborhood in Southern California, I often looked to my community leaders for lessons in how to live and how to treat other people. One of the most influential role models continues to be Dolores Huerta, pre-eminent civil rights leader who has fought for the rights of underserved laborers for more than 40 years.

Born in Dawson, New Mexico, on April 10, 1930, Dolores Huerta was raised along with her four siblings in the San Joaquin Valley town of Stockton, California. While there, she witnessed firsthand the poverty that local farm workers endured, but also saw the generosity her mother showed them in the form of free meals and lodging.

Although she earned a teaching degree from Stockton College, Dolores Huerta left the profession because she could not stand to see her students, children of farm workers, arrive at school hungry, without shoes and food. Rather than just teach, she decided to organize the farm workers to help them fight for their civil rights as well. So in 1955 she founded the Stockton chapter of the Community Service Organization, a community organization designed to educate, organize, and assist these poor families.

Her dedication to farm workers continued and, in 1962, Dolores Huerta joined with Cesar Chavez to establish the National Farm Workers Association. The group was a precursor to the United Farm Worker Organizing Committee, for which she served as secretary-treasurer.

But Dolores Huerta has done much more than just organize farm workers. She has also fought for health benefits, higher wages, and disability insurance for those people who work in the fields. Without her, today's farm workers would not enjoy the fair treatment and safe working standards that they enjoy now in the State of California.

Dolores Huerta's dedication, though, is not just confined to farm workers. She fought hard for the rights that we all hold dear, women's rights, environmental justice, civil rights, and free speech. In fact, in the 1960s, Dolores Huerta launched a campaign for environmental justice. She began to advocate against the use of toxic pesticides that harmed farm workers and consumers. Her vehement lobbying and organizing led growers to finally stop

using dangerous pesticides such as DDT and Parathyon in their fields.

Dolores Huerta has also been visible in the political spectrum. As a legislative advocate for the labor movement, she has led farm worker campaigns and various political causes. In fact, she is probably most remembered standing beside Robert F. Kennedy as he acknowledged her help in winning the 1968 California Democratic presidential primary moments before he was shot in Los Angeles.

She has also worked tirelessly to make sure that all people, including those that only speak Spanish, have the opportunity to be heard. She has helped to establish Spanish language radio communications organizations with five Spanish radio stations, and has participated in numerous protests to highlight the plight of farm workers throughout the country. Although most of those demonstrations were peaceful, Dolores Huerta herself has endured physical harm and more than 20 arrests for peacefully exercising her right of free speech.

Her dedication to farm workers and people of color across America has earned her numerous accolades, including the American Civil Liberties Union Roger Baldwin Medal of Liberty Award, the Eugene Debs Foundation Outstanding American Award, the Ellis Island's Medal of Freedom Award, and induction into the National Women's Hall of Fame.

Today, my colleagues, we have the opportunity to honor Dolores Huerta, not only for her unwavering dedication to farm workers but to her commitment to creating a better environment for all Americans. This resolution that I am presenting today marks the first time in recorded history that Congress has chosen to honor a Latina labor leader. I urge all my colleagues to support this resolution.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mrs. JONES) is recognized for 5 minutes.

(Mrs. JONES of Ohio addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 5 minutes.

(Mr. LANGEVIN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PRESCRIPTION DRUGS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Vermont (Mr. SANDERS) is recognized for 5 minutes.

Mr. SANDERS. Mr. Speaker, as my colleagues may know, tragically millions of American citizens cannot afford the outrageously high costs of prescription drugs in this country. Some

of these people die, others suffer, and still others take money from their food budgets or other basic necessities of life to buy the life-sustaining drugs that their doctors prescribe.

Tragically, and I think many of us are fully aware of this now, citizens of the United States pay by far, not even close, the highest prices in the world for prescription drugs. Some of us have taken our constituents across the Canadian border, others have gone over the Mexican border and have found, for example, that tamoxifen, a widely-prescribed breast cancer drug, sells in Canada for one-tenth of the price, one-tenth of the price that it sells in the United States. And this is for women who are struggling for their lives.

But it is not only Canada that has lower prescription drug prices. For every \$1 spent in the United States for a prescription drug, those same drugs are purchased in Switzerland for 65 cents, the United Kingdom for 64 cents, France for 51 cents, and Italy for 49 cents. Meanwhile, year after year the pharmaceutical industry appears at the top of the charts in terms of profits. Last year, for example, the ten major drug companies earned \$26 billion in profits while millions of Americans are unable to afford the products that they produce.

Now, why is it that prescription drugs in this country are so much more expensive than they are in any other industrialized country? I think the answer is obvious. The pharmaceutical industry is perhaps the most powerful political force in Washington and has spent, unbelievably, over \$200 million in the last 3 years on campaign contributions, on lobbying, and on political advertising.

□ 1900

Amazingly, the drug companies have almost 300 paid lobbyists knocking on our doors in Washington, D.C. to make certain that Congress does not lower the cost of prescription drugs, and to make certain that their profits remain extraordinarily high.

Year after year senior citizens throughout this country and those with chronic illnesses cry out for prescription drug reform and lower prices, but their cries go unheeded as the pharmaceutical industry and their lobbyists defeat all efforts to lower prices.

This year it is my hope and my expectation that it is going to be different and that we are finally going to succeed, not only in passing a prescription drug benefit under Medicare, but lowering prescription drug costs for all people.

Last year this Congress in a bipartisan manner passed legislation that promised the American people that they would be able to buy prescription drugs at the same low prices as consumers in other countries through a drug reimportation program. In the House, the Crowley reimportation amendment won by the overwhelming vote of 363-12. Unfortunately, at the

end of a long legislative process, loopholes were put into the amendment that made it ineffective. While the law remains on the books, it has not been implemented by either the Clinton administration or the Bush administration.

In an increasingly globalized economy where we import food and other products from all over the world, it is incomprehensible that pharmacists and prescription drug distributors are unable to import or reimport FDA safety approved drugs that were manufactured in FDA approved facilities.

Mr. Speaker, tomorrow as part of the agriculture appropriations bill, the gentlewoman from Connecticut (Ms. DELAUNO) and the gentleman from New York (Mr. CROWLEY) and I will introduce essentially what the Crowley bill was that passed overwhelmingly last year.

Despite huge opposition from the pharmaceutical industry, I am confident that Congress will stand up and vote to begin the process to lower prescription drug costs in this country.

As Dr. David A. Kessler, former FDA Commissioner under President Bush and President Clinton stated in support of reimportation last year, "I believe U.S. licensed pharmacists and wholesalers who know how drugs need to be stored and handled, and who would be importing them under the strict oversight of the FDA, are well-positioned to safely import quality products rather than having American consumers do this on their own." That is Dr. David Kessler.

Mr. Speaker, I hope tomorrow will win an overwhelming victory for prescription drug consumers in this country.

LIFT MEDICAID CAPS IN U.S. TERRITORIES

The SPEAKER pro tempore (Mr. KENNEDY of Minnesota). Under a previous order of the House, the gentleman from Guam (Mr. UNDERWOOD) is recognized for 5 minutes.

Mr. UNDERWOOD. Mr. Speaker, a couple of speakers this evening have talked about the need to improve health care for all American citizens, the most recent speaker talking about prescription drugs, and earlier my colleague talking about a real Patients' Bill of Rights.

This evening I would like to raise another issue, and that is lifting of the Medicaid caps for the Territories of the United States, including my home Island of Guam.

At the start of this Congress, I, along with other territorial delegates from the Virgin Islands, America Samoa, and the Resident Commissioner of Puerto Rico, introduced a bill, H.R. 48, to remove caps on Medicaid payments to the U.S. territories and adjust the statutory matching rate. H.R. 48 is authored by my esteemed colleague, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), formerly a practicing physician there.

When this bill was first introduced during the 106th Congress, we reported that Medicaid allotments fell far short of meeting the needs of indigent populations in the Territories, and because of depressed economic conditions, high unemployment rates and the rising health care needs of growing indigent populations, the reliance on Medicaid assistance continues to surge way beyond the Federal cap and beyond the Territorial Government's ability to match Federal funds.

In Guam, for example, for fiscal year 2000, Medicaid assistance was capped at \$5.4 million. However, the Government of Guam, because of the emerging population, spent approximately 3 times that amount to serve the medical needs of the people of Guam. For fiscal year 2001, the Medicaid ceiling is capped at an additional \$200,000 at \$5.6 million. However, the estimated cost to provide medical care to Guam's needy today is approximately \$27 million over that amount, resulting in a dramatic overmatch for the Government of Guam, way beyond any match that is expected of any State jurisdiction.

I fear the squeeze will even be greater as the Government of Guam implements the President's tax cut plan which has a deep impact on the economies of Guam and the Virgin Islands. These two U.S. jurisdictions have tax systems which mirror the Internal Revenue Code of the United States, which means whatever tax policies are implemented on the Federal level automatically take effect at the local level, even without consulting us. The Government of Guam has no surplus to cover the anticipated \$30 million shortfall in revenues which will occur resulting from this tax cut.

Thus, the struggle to provide medical services to Guam's needy will be more than the local economy can bear. Lifting the Medicaid caps for territories and changing the Federal Territorial matching rate currently set at 50-50 would provide relief to the neediest populations of the Territories.

This legislation proposes that the Federal Territorial matching share be set at the share of the poorest State, which is currently a 77 to 23 Federal-State match. Congress must consider the reality that Territorial Governments have not shared in the same economic prosperity which has been experienced in the U.S. mainland, and should recognize this by changing the matching rate.

I stand here this evening to urge my colleagues to join in support of H.R. 48. Health care is an issue of importance to every American, whether they reside in the 50 States or the U.S. Territories. Resolving Medicaid issues in the Territories is a step in the right direction towards providing much needed health care relief for Americans, no matter where they live. We are all one country when it comes to responsibilities like service to our country. We should all be one country when it comes to realizing benefits and services like health care.

CORRECT UNEQUAL TREATMENT AMERICANS IN THE TERRITORIES RECEIVE FROM MEDICAID PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 5 minutes.

Mrs. CHRISTENSEN. Mr. Speaker, I rise today to join my colleague from Guam in once again speaking out against the unequal treatment that the American citizens in the Territories receive from the Medicaid program. By virtue of where we live and only by virtue of where we live, low-income Americans in the territories are not able to receive the full benefits of the Medicaid program.

For the residents of my district, the U.S. Virgin Islands, in order for a family of 4 to qualify for medical care under Medicaid, the maximum salary that a family can earn is \$8,500 a year, one-half of the Federal minimum wage. By contrast, in year 2002, all States at a minimum will provide Medicaid for all children 19 years old and younger living in families at or below the poverty level at \$17,050 for a family of 4, more than twice that amount.

Historically the Government of the Virgin Islands matched the Federal contribution with a combination of cash and in kind. When the value of both is added, it equaled and many times exceeded the Federal contribution. While this resolves the Federal requirement on paper, it has created a financial havoc for the Territorial hospitals and clinics that really incur the cost of in-kind services but never get reimbursed.

Because of the cap and 50-50 local match, the local Virgin Islands Government also bears the brunt of the cost of the Medicaid program contributing 66 percent or more on average, adding to the burden of the Territory.

In addition, because our hospitals do not get DSH payments to supplement the large amount of low-income patients that we serve, this creates an additional financial burden on the Territory's hospitals; and compounding this dilemma is the fact that the Virgin Islanders, nor do the residents of Guam, get SSI benefits, which means that our disabled citizens are also excluded from the benefits of this program, again just because of where we live. I place emphasis on "where we choose to live" because the fact that all a low-income Virgin Islands resident has to do to receive SSI or full Medicaid benefits is to move to Miami or New York where a growing number of our residents now reside. We would prefer to keep our poor, sick and disabled residents at home instead of sending them to these districts because of an inequity in the law.

Moreover, it is plain wrong that families must move away from their homes and friends in order to receive a benefit that their fellow citizens on the mainland do not have to leave their home to receive.

Why does this unequal treatment exist? The answer most given is that the Territories do not pay Federal income taxes, but it is not as simple as that. The fact is that people who receive SSI and themselves in the States do not pay Federal taxes because they do not earn enough money.

This Congress in their wisdom, through the earned income tax credit and other tax credits, allow low-income Americans to pay very little Federal taxes. But these same citizens, like my constituents, all pay Social Security and Medicare payroll taxes for which there are no credits or exemptions.

How is it that one group of American citizens, or even residents who are not yet citizens, can receive medical care even though they do not pay Federal taxes while another group does not. Likewise when my constituents are called to serve their country when we are at war or even when we are not, they are not asked whether they pay Federal taxes; and we serve willingly and proudly and in large numbers.

Mr. Speaker, a recent report, the Access Improvement Project of the Virgin Islands, revealed that great disparities exist for Medicaid eligible children in the Virgin Islands compared to the continental United States. The report shows that while the Nation as a whole spends an average of \$76 for EPSDT screening per Medicaid eligible child, the U.S. Virgin Islands only spent \$1.20. Additionally, the total Medicaid expenditures per child also shows an astonishing disparity. In the age group 15 to 20, national Medicaid expenditures were approximately 599 percent more than what is being spent in the Virgin Islands. We also received a 50 percent match, despite a State like Mississippi where the average income is \$1,500 higher than ours. They receive 80 percent match. And the Virgin Islands Medicaid program cannot provide wheelchairs, hearing aids or prosthetic devices, and only provides physical and occupational therapy to a limited degree because of the limited funding.

Mr. Speaker, the gentleman from Guam (Mr. UNDERWOOD) and I pledge to work to remove the Medicaid cap and to right this injustice on behalf of the poor and disabled in our districts. I hope that our colleagues will agree that it is not right to penalize American citizens of similar circumstances only because of where they live, and that they will join and support our efforts.

□ 1915

NATIONAL ENERGY POLICY

The SPEAKER pro tempore (Mr. KENNEDY of Minnesota). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, before I start this evening on the main subject

of which I intend to spend the majority of my time on, I want to tell you that today I had a visit from the Future Farmers of America, several young people from Delta, Colorado; Cortez, Colorado; Dove Creek, Colorado. As many of you know, my district is the Third Congressional District of the State of Colorado. That district basically consists of almost all the mountains of the State of Colorado.

It is refreshing to have young men and women like this and young men and women of the different groups, not only Future Farmers of America but the different groups that come in to see us, the leadership groups and so on. It does tell you that there is a lot of promise with this new generation, that there is sure a lot more going in favor of that generation than there is going against it. So I felt pretty good. It recharges somebody in my kind of position to see that the generation following behind us, which is something that we become very dedicated to, because, after all, whether you are a Democrat or a Republican, regardless of where you fall down on the issues, if you really looked at the heart of why most of us are here, it is because we do care about the greatest country on the face of the earth and we do care about being able to hand this country over to a generation that will deliver the same kind of promise to this great country as have the previous generations.

With that, Mr. Speaker, I want to address this evening energy. We have got to talk about energy. I will tell you why I am concerned about what is happening with energy. We are actually seeing energy prices begin to drop. In fact, energy prices are dropping rather dramatically here just in the last couple of weeks. My concern about energy becoming more affordable, which of course benefits all of us, is that we begin to forget the shortage of energy that we have had in the last several months, that we begin to forget the necessity to conserve and to continue to conserve, not just for the period of time that we had the shortage but for the sake of future generations like these Future Farmers of America that were in my office today. I think that we have to adopt permanent conservation methods for future generations as an investment. It is an investment in the future. I think we have to stand up to some of the realities of the shortages that were created over here in the last year. Why did they come about? What is happening? What are we going to do to secure this Nation's future as far as its energy needs?

As the price begins to fall, people begin to take energy and push it off their plate. It is not such a priority. Gasoline alone has fallen 20, 30 cents a gallon in my district. By the way, if my colleagues happen to be anywhere in the United States where gasoline has not dropped in price, they better take a look at the operator, because somebody is making a lot of money. Natural gas prices have begun to drop

fairly dramatically. Electric prices have begun to drop rather dramatically. Why? Because, number one, we are coming out of the winter season, obviously we are into summer right now but, two, the supply is beginning to catch up with the demand. Why is it beginning to catch up with the demand? One, we have had increased production overseas, and, two, people are beginning to exercise energy conservation, so the demand and the economy has brought that demand down. In other words, conservation and the slowness of the economy have begun to bring the demand down while the supply goes up. So as supply and demand come closer together, that is where your price matches. If in fact at some point it looks like supply will exceed demand, in other words, you have more than you can sell, prices drop rather dramatically.

So this summer the good news is we are going to have reasonable gasoline prices so that you can go on your summer vacations and you can go to work, et cetera. But I do not want that to hide the necessity for each and every one of us in here to continue to take a look at what is necessary for this country to conserve and to continue to look for resources that we think are necessary so that this country can stay on an even keel with the needs that it has in the future. It would be a dramatic mistake, a dramatic and serious mistake, for us to assume that everything is fine once again and we go whistling off into the forest. In fact, that was a warning, a warning shot that was fired over our bow, so to speak, in the last few months. It was a message to us that we need to look with an approach utilizing common sense of, one, how can we conserve, number two, probably more important than anything I have discussed so far this evening, the importance of having an energy policy for this Nation.

Let me spend just a few moments on the energy policy for this Nation. The problem in the last 8 years under the previous administration is that we really never had an energy crisis. During the Clinton days in office, there never really was an energy crisis. So as a result, that administration never really did set forth on trying to come up with some type of energy policy. Why? When you decide to come up with some kind of energy policy, that is controversial. You take a lot of heat. Because if you want to have a good energy policy for this Nation, you need to put all of the issues on the table. You need to talk about hot subjects like ANWR. You need to talk about hot subjects like nuclear utilization of energy. You need to talk about hot subjects of where you store waste. You need to talk about and have some discussions with the auto manufacturers about increasing the mileage that we get on our cars. A lot of those conversations are going to be the subject of very heated debate as this administration, the Bush administration, begins to put

together an energy policy. So it is a debate that any smart politician would like to avoid. Why take the heat when you do not really have to? If the energy prices are reasonable, in fact, they were not only reasonable over the years of the Clinton administration, they were cheap, why take on the heat of dragging this country through the debate of an energy policy?

Well, things have changed. We know, of course, in the last 5 or 6 months, it seems only a few weeks after President Bush and Vice President CHENEY took office, that we began to feel a shortage. They did not run from it. That is important to note. I have seen a lot of criticism lately of our President and our Vice President, most of it quite unjustified but nonetheless it is out there. Criticism about how dare they say we go and look for future energy resources. How dare they say a program that has not worked in 20 years have its budget cut? What is this new administration thinking by putting on the table the different areas of energy and energy reserves in this country and at least asking the question, should we or should we not drill, for example, in those particular areas? Should we or should we not begin to take a second look at nuclear and say maybe we ought to consider it, like France, by the way, of which most of the energy in Europe, by the way, is generated by nuclear. Some of the conservation methods. It is controversial to go out to those car manufacturers and say, we need better mileage for those vehicles.

But this administration was willing to do it. Not only because they have had to. And, by the way, now that energy prices are dropping, the political heat on coming up with an energy policy is not near as great as it was just 3 weeks ago. Just 3 or 4 weeks ago when the prices were still up there, the heat was fairly extensive in these chambers. But what really will test us is if we are willing to continue to work with the President and the Vice President in putting together an energy policy despite the fact we are not under a lot of heat in these chambers to do exactly that. And I think we have an obligation to do that. Because, as I said, in those last few months what came over the bow of our ship was a warning shot. It did not hit the side of the ship. Our economy did not sink as a result of this energy. We have had some blackouts in California but that really focuses more on negligence by the leadership out in California. It did not occur in 49 other States, by the way, which does make California stand out, saying, "California, 49 States must be doing something right. You must need to adjust something you're doing."

The key here is that while we got a warning shot, let us not ignore it. I have got some ideas this evening and some things I would like to go over with my colleagues. This evening, my remarks really are going to focus on what I call common sense and resource development. It does not read common

sense of resource development. It reads common sense, resource development. In other words, we have got a lot of conservation, for example, and that is the first one I have got down here. Conservation.

Let us talk about conservation for a couple of minutes. There are a lot of commonsense things in conservation that we can use. And it does not create a lot of pain with the American people. As I have said numerous times on this House floor, the average American driver that owns an automobile, you do not have to change your oil every 3,000 miles. Now, you may have been convinced by marketing efforts that your engine is going to fall out of your car or the engine is going to blow up if you are not down there at Quick Lube getting your oil changed every 3,000 miles, but the fact is if you read the owner's manual, you are going to discover that your car only needs its oil changed maybe every 6,000 miles. In some cases 7 or 8 or 9,000 miles. Now, you can begin to become a participant in this conservation by simply changing your oil when the owner's manual tells you to change it. That is not painful to the American people. It is not painful to my colleagues. That is what I call common sense. That is an example of common sense approach to our resource development that we need. Part of that resource development is conservation.

There are a lot of other things. Of course the simplest thing that anybody can think of which absolutely causes you no pain is shut off the lights when you leave the room. Shut off the lights when you leave the house. I said the other day in Europe, when you go into a hotel in Europe, you actually have a little card. When you walk into the room, you slide that card into a slot. As long as that card is in that slot, your hotel room lights are on. But as you leave the hotel, you pull the card out and the lights go off so you do not forget to leave lights on in your hotel room. Does that cause you any pain? No. Does it impact your life-style in a negative fashion? No. In fact, it will actually save you money if you do this in your own home, watch out to turn out those lights, and it also helps you become a reasonable and responsible participant in conservation efforts. That is a key part, I think, in resource development.

Some people would like you to believe that the only way you can have resource development is to exclude conservation, that when the President and the Vice President talk about resource development, that they have ignored conservation, they have drawn a line through it. That is just political propaganda. That is all that is. It is bogus. I have talked to the Vice President. I know what the President's policy on energy is and conservation plays an important part in it. But the President and the Vice President have had enough courage to say, look, you cannot do it on just one of these elements alone. You cannot make up the gap

that we have or the gap that we might have in the near future simply through conservation. You can make a significant dent in it, but you cannot make it up with just simply conservation. Nor can you make it up with alternative forms of energy.

I want to point out that if you go all throughout the world, you pick every alternative form of energy you can find, solar, wind, other types of renewable energy generation, take a look at that. If you took all of that renewable alternative energy in the world and you applied it all to the United States, in other words, only the United States got that alternative energy, that would only meet at the most 3 percent of our needs. That is not going to be an answer, but it is an important part of the answer. It is a critical piece of the puzzle when combined with conservation.

Then you have got to take a look at other renewables. What is a good renewable source out there that generates electricity and provides recreation and provides fisheries and prevents flooding and allows us any other number of benefits? Hydropower. Now, I speak of hydropower with great admiration because I come from the West. My family has had many generations on both sides out of the mountains in Colorado. The mountains in Colorado, believe it or not, it is an arid area. I think almost half the geographical area of the country only gets about 14 percent of the water. Out here in the East, in some areas you sue to get rid of the water. You try and shove the water over on your neighbor's property.

Out in the West we need storage. We have about 6 weeks every year out in the West, out in those Rocky Mountains, you have all been out there, you have skied in my district, Aspen, Vail, Telluride, Beaver Creek, Steamboat, Glenwood, Durango. You have skied out there. You think the snow never ends. You think there is lots of moisture out there. First of all, we do not need the moisture in the winter. We need the moisture primarily for agriculture, municipal use, et cetera. For about 6 weeks as that snow melts off those high mountain peaks, and my district happens to be the highest district in the Nation, as the snow melts into that cold water and comes rushing down, for about 6 weeks we have all the water we want. But we do not exactly, because we have not figured out that direct connection with the good Lord, we do not know how to time that. We cannot control the timing of that. Sometimes it comes early, sometimes it comes late. Mostly it comes early. So we have to have the capability to store it. So while we are storing that water, water which we have to have, remember that in the West we have got to store it, not only just for flood control but for our drinking water. So why not while we are storing the water use the renewable assets of the water and generate electricity.

I am going to show you exactly how hydropower works here in just a few

minutes. It is probably the cleanest energy generator we have got out there. What we do is we take the water as it drops, we grab that energy from the water as it goes down, we spin a generator and we create electricity. Keep in mind one thing with hydropower, when we have a generator, a turbine, that is natural gas. We use a fuel. We have to use natural gas.

□ 1930

So we consume one part of our environment to create the electricity. Same thing with coal generation. On coal generation facilities, we burn coal to spin that turbine to create electricity, but hydropower is different. On hydropower, we do not use any fuel. We do not have to consume any natural gas. We do not have to consume any coal. It is in the water, and it is in the drop of the water. That is where we pull our energy from so it makes a lot of sense. You keep going on here, oil and gas.

I read a very interesting poll today, or saw a poll. I do not know whether it was taken today but I looked at it on the computer.

By the way, speaking of computer, if you want to help conserve just go on to search and hit "conservation ideas." I pulled up 19,000 hits. I did not look at each hit but up came 19,000 hits on conservation ideas. So your computer really at home can help us help us conserve energy in this country.

I took a look at the words that have negative thoughts to them in regard to energy-related. I can say that oil and gas has a pretty negative connotation to it. Same thing with coal, same thing with nuclear. There are some people out there, again using strict rhetoric, political rhetoric in a lot of occasions, will lead you to believe that, look, exploration for oil or natural gas or nuclear generation for electricity or hydropower, that that is bad; that we can get our power by simply conserving or simply using alternative or solar. Do not buy into this argument that solar is going to replace at least in the near term, and near term meaning the next 10 to 20 years, do not buy into that argument that solar alone is going to do it. The reason we all do not have solar generation in our homes today, although a few of them have it with those panels on the roof but it is not very efficient and it is not very effective. That is why most homes do not have it.

I can assure you that once somebody masters how to put that solar energy into a home to generate, for example, your electricity or to provide the energy needs that you have, we are going to go solar. That is where the market will take us. That is the beauty of the capitalistic market that we have. It will go for the best product but right now it is not the best product, and you are being led down a path without a good return at the end when people say that solar, or renewable energy, or other factors or even conservation will solve our problem.

The fact is, we have to have oil and gas until we are able to make some fairly significant technological advances in solar and other alternative fuels so that at some point in the future we can replace oil and gas, but today you need oil and gas. We have to face up to the fact that we have to have further exploration.

Here is a chart to give you an idea. This is energy production. It is a flat line at our growth rates last year, flat line energy production. This is energy consumption, the red line. Look at the angle of the red line compared to the flat green line. You say, all right, Scott, there is the energy consumption. There is the energy production. What fills in the gap? Well, what fills in the gap, of course, is foreign oil. We become more and more dependent on people like Saddam Hussein to provide for that gap.

Let us take a look. How do we close that gap? What do we do to minimize, to minimize this gap, to bring consumption in with production? That is, by the way, what brings your price down. Well, we can conserve and conservation will make a significant dent in that. Vice President Cheney has said that on a number of occasions. The President himself has talked about the importance of conservation, but it will not wipe out this gap.

Here is my angle with my pointer, conservation maybe brings it down maybe around like that. It will take care of a good chunk of that gray area but it will not take care of the biggest portion of it.

Then if we take a look at alternative energy like the solar and so on, maybe a little tiny fraction. Certainly, the technological advances we have today, for example, on solar or other alternative energy will not make at all the kind of dent that conservation will make but it will help a little. So after you take that into consideration you still have a significant gap here.

What does that significant gap represent? Well, it represents energy. It represents whether you have air conditioning for elderly people. It represents whether we have refrigeration for storage of food. It represents vehicles and I am not just talking about your car. I am talking about the ability for everything, to run ambulances, to drive semis, to move food from one point in the country to the other point in the country. I do not have to say what needs we have as far as oil and gas, but we cannot pretend to let it always happen in the other person's backyard. We cannot pretend that we do not really need to drill for oil and gas, that somehow oil and gas pipelines are going to fall out of the sky because we need it and we do not have to go through the pain of having to look for it.

The fact is, in this country, we have to continue to do that or we can make a conscious decision, as they did in California over the years, we can make a conscious decision not to explore for that and become dependent on other

sources. In other words, in the United States we can make that decision not to continue to explore for more oil and gas and to continue to become more reliant. The trade-off is we then become more reliant on foreign oil.

Now there are all kinds of risks to that and we ought to be aware of that. What happened in the State of California is they adopted a policy for many, many years, in fact ironically today the governor or yesterday the governor of California, Mr. Davis, switched on a new power plant. First one I think they have had in 13 or 14 years. Well, it is about time, California. It is about time, Governor, because the policy that California adopted was, look, let us deregulate and we do not have to build any generation in our State. We do not have to have natural gas transmission lines in our State. We do not have to have it in our backyard. Let somebody else do it. We will become dependent on somebody else. So that is a conscious decision that the leadership in California, by the way on both sides of the aisle, but today it is headed by the Democrats, but that was a decision made many years ago and it has been continued through the years, hey, let us not drill in our State; let us not build electrical generation in our State; let us not put a gas transmission line in our State here in California; let us depend on somebody else. They did that and look what happened. It went along real well for awhile until the person they depended on decided they wanted a little more for their energy and then pretty soon they wanted a lot more for their energy, and pretty soon the market changed. The reason they wanted a lot more for their energy is if California did not want to buy it somebody else was willing to pay that price to take it. That is the risk of us in this Nation and for the future generations of becoming dependent on foreign oil. We can do it, but remember what happened in California could happen to all 50 of the States if in fact our dependency on foreign oil is some foreign dictator who overnight decides he is going to shut off the oil tap. That is why it is important within our boundaries to continue to explore our reserves.

Now does that mean explore our reserves at any cost? Of course it does not. You cannot go into Yellowstone or into a national park, into the Black Canyon National Park or up on the Colorado Canyons National Monument or the national conservation area. You cannot go up in there and explore. There is a lot of country, though, however, that we can drill in this country. I know it has a negative connotation to it. The easiest thing you can do on this House Floor is to stand up and say, we do not want to drill here; we do not want to drill there; we are against drilling; we are against any kind of exploration.

Leadership, however, requires that you stand up here and say, we need conservation; we need alternative fuel,

but we do have to continue to explore for oil and gas. We need to do it in an environmentally sensitive method, a responsible method, which not only mitigates the impact to the environment.

The days of mitigation for the environment are pretty well gone, where you go in and you have a project and you are supposed to mitigate for the environment. Those days are pretty well gone. We have now accepted the responsibility for future generations that we have a higher standard, not just mitigation but enhancement, enhancement of the environment. We have done this with wetlands. We have done it with our endangered species, any number of different things. We have actually, because we are concerned about the environment for future generations, we have lifted it to a higher standard, a standard which we think will be of benefit to future generations while at the same time allowing utilization, say, of a resource.

Well, let me go on here. We have a very negative connotation based on coal. Coal generates a lot of power in this country and it generates a lot of jobs in this country and it can be done in a doggoned responsible way. Now you have to exercise oversight over it.

I am not too sold on taking off a mountaintop, for example. I am not too sold on burning coal without the most modern efforts we have, the smoke stack technological instruments that we have, technological instruments that we have to clean that coal, to make sure that the area that comes out has a minimum impact on our environment if we are going to burn coal.

What we can do today? We can do a lot of that. Now some of my colleagues, because coal has a negative connotation to it, say shut it down. My guess is they are not relying on coal. My guess is they do not have jobs dependent on coal. My guess is they have never been in a coal-powered generation facility. That is a responsibility that each and every one of us have. In fact, it is incumbent upon us to go out when we talk about these things, when we talk about hydropower or when we talk against hydropower we ought to go look at a dam. You ought to go out and see what kind of impact, both negative and positive, it might have. We have to weigh it out. That is exactly what the President and the vice president have said on their energy policy. Put it all on the table. Put it down on that table. Then let us debate it. If it does not work, take it off. But everybody has an obligation to put their idea on the table so that we can have this debate, so that we can develop some kind of energy policy for this country.

As I said earlier, I am concerned that because energy prices are dropping that us, Mr. Speaker, in leadership positions will begin to say well, that is not as important as it was three or four months ago. Prices are down. Our constituents are not concerned. The complaints are not out there. Let us move

on to something else. We cannot do that. We just got a warning shot. Do not let that go unnoticed because of the fact that our energy prices have dropped.

Let me just reemphasize right here. I know I brought this chart up a couple of minutes ago but I just want to reemphasize one thing. That is our production. That is energy production today. That is demand. Now demand came down just a little but the fact is this is our projected shortfall, right there, projected shortfall. Every one of us can make that projected shortfall. We can drop that through conservation. We can drop it somewhat through alternative energy like solar, and we can also drop that shortfall by allowing continued exploration in this country under reasonable oversight, using common sense an enhancement to an environment. Now, it is very interesting to hear about people. I mentioned this the other day when I was making comments because I find it kind of ironic. I, of course, get out in the mountains. I love the mountains. Most of you who visit the mountains can understand that, but I have a lot of heritage and I feel a lot of deep bonding to my district, as do all of you with your districts. So I get out in the mountains all the time, and I was out talking with a mountain biker the other day. Now I mountain bike, too. I ride my bike and so I enjoy the sport a lot, but I was talking to a colleague of mine who was riding a mountain bike and they were complaining about the fact, boy, we cannot continue to drill, we cannot continue to use oil and gas, very negative about mining; you have got to get mining out of here; we cannot have mining. It is interesting comments from somebody on a mountain bike made of titanium.

I said to my friend, I said that bike you have got is one of the most technically advanced bikes in the world. That thing you can lift it, no matter how strong you are, even a child can lift that thing up it is so light. But you know why that is? Because we have mines, we have minerals. We are able to have oil and gas production. We are able to come up with things like this device which, by the way, utilizing your bicycle is a good way to conserve. In fact, by using that resource we in the long run can use less of it by developing something like a bicycle that is comfortable to ride and a bicycle of which people can recreate on without having to use a gasoline-powered engine, for example.

The fact here is, look at this, our demand for product, this is our demand for product right here. U.S. crude production, these bars right here of production, that is production, 1990, 1991. This right here is the petroleum demand. Take a look at what demand has done to production. When you have that kind of gap, your price skyrockets. That is the kind of gap that begins to lead to a crisis.

Now we did not have an energy crisis this last few months, with the excep-

tion maybe in California, blackouts in New York. New York City may face some. We do have a drought up in the northwest on the Columbia River.

□ 1945

Mr. Speaker, the fact is 49 out of the 50 States were in pretty good shape. We had an energy crunch, not an energy crisis. That energy crisis is just sitting out there waiting to fire right into the center of us, unless we do something to prepare for it.

I mentioned earlier if we make the conscience decision, which we are free to do, that is why we are on this floor, that is why we have this debate, if, in putting our energy policy together, as the President and Vice President have said we need to do, we need an energy policy, if my colleagues out here make a conscience decision not to have further exploration of our natural gas and our oil reserves in this country, only one thing can happen, you cannot fill the gap in with conservation. It helps, but it does not fill the gap.

You cannot fill the gap in with solar energy. The only way you can fill in the gap between supply and demand, when you decide not to drill or further explore in our country, is right here, foreign countries like Iraq.

Take a look at our dependence on Iraqi oil exports to the United States. Take a look at that line. The more you decide not to find alternative resources, the more you decide not to conserve in our country, so you have more consumption, the more you try and mess with the market, like price controls, and I am going to talk about that in a few moments, the more you become dependent on people like Saddam Hussein over here in Iraq.

That is not the answer. That is not the answer. That is what is going to lead us from an energy crunch to an energy crisis.

Mr. Speaker, let us talk for a moment about the State of California. I told you that I love the State of Colorado. I am very proud of the State of Colorado. I want you to know that I like the State of California.

California is a beautiful State and California has a lot of wonderful people in it. But, frankly, the California leadership has done a pretty poor job of planning for their energy needs. The governor of California and other elected officials, you are going to hear them blame everybody else for this. But the fact is, there are 49 States in this country that are not in the predicament that California is in.

Lightning did not just strike California and they got picked out of the bunch for this to occur. California brought it on themselves. We have several things we ought to discuss since California brought it on themselves.

Number one, a fair question for us to ask to California, to ask the governor of the State of California, "what are you doing to pull yourself up by your bootstraps?" In other words, that word called self help, what are you doing,

California leadership, to pull your people in that State out of the energy crisis that you have?

We have to be careful. I am critical of the governor of California, whom, by the way, has blamed everybody else but himself. I never heard him once say that he accepts at least a part of the blame for their shortage out there. That is why I am so critical of the leadership of the State of California.

I want to tell all of my colleagues that we are very dependent on that State. It is not a foreign country. We should not walk away from California. It is a State. We have an inherent obligation to help California. That help should not come without some kind of matching grant, so to speak, matching effort.

They have to make their own effort, but when you look at it from an economic point of view, California is the sixth most powerful economy in the world, we better not walk away from them; not only do we have what I think is an obligation to help California because they are a State. They are our brothers. They are our sisters. They are our neighbors. They are a State of the United States.

We do not walk away when another State is in trouble, so we also cannot walk away from California, because California is the sixth most powerful economic unit in the world.

What does California have to do to get help from the rest of us? First of all, California, and I hope the governor of California has an opportunity to visit with me at some point, you have a lot of power generation facilities to be built in your State. You cannot continue to demand energy and have energy demand continue to grow while at the same time say "not in my backyard."

You cannot continue to depend on people outside your State lines to supply your generation inside your State, unless you want to subject yourself to the ups and downs of price fluctuations. That is exactly what happened.

California deregulated, well, not really deregulated. They called it deregulation. They sold their generation outside. Outside owners run it, because they thought they could save money by buying the spot market, which means the prices go up and down by the hour in power, by the hour in electrical power.

They thought they could outsmart the market. What did they do? They bought spot power. The people now control the power, the price goes up. You have to be able to build your own resources within the State of California.

I know that California is now looking at that. They opened their first power plant in 13 years, as I understand it, as I mentioned earlier in my comments, yesterday or today. That is good; not enough, but it is good. You are headed in the right direction.

Mr. Speaker, I want my colleagues from California to know that the rest

of us feel an obligation to help your State. But, by gosh, California, you have to help yourself. You have to allow some natural gas lines. You have not allowed a transmission line, not natural gas to your house, but a transmission line to move large volumes of natural gas in 8 years.

You have put price caps. That is one of the problems I am going to go through in a little more detail. Let us just real quickly go to that while we are on the subject.

Let us talk about price caps. I can tell you in fairness of disclosure, I am a student of Adam Smith, the Wealth of Nations. That is the capitalistic system where you have supply and demand. You have to have some oversight so you do not have monopolies, but you have to be careful of abuses, and I understand that. You have to understand, especially in the government, we are not business experts in the government.

None of us are business experts. In fact, a lot of us in these chambers, I happen to have been, but a lot of the people in these chambers have never operated a business.

Where do you think we develop the expertise to go into the marketplace which has been tested in this country for hundreds of years? Where do you think we can go into it and decide that government manipulation of the market is for the benefit of the consumer, then, in the end, how to beat the market?

The government never beats the market. Let us take a look at how they think they can. Price caps. You know what makes me upset about price caps right off the bat? I am a big proponent of conservation. Price caps encourage waste. Price caps do not encourage conservation.

It is like leasing. I will give you an analogy here. It is like you own a house and you rent the house to a tenant. You rent it to somebody and you say to the person you are renting to, look, you pay me \$500 a month rent for the house, and, by the way, I will pay all the utilities.

Do you know what is going to happen with the person that is renting your house since you are paying their utilities? The air conditioning will be set at 50 in the summer, and the heat will be set so high in the winter you will look over at your house and you will see the windows open so they can get rid of the heat.

Price caps encourage waste of energy. Take a look. Price caps are bad for consumers, the economy and the environment.

The polling in California, and maybe throughout the country, but 70 percent of the American people say they like the idea of price caps. That is where leadership comes in. That is where we as leaders have to say, look, on the short-term basis, you are asking for a short-term return and a long-term risk.

The risk is substantial. The risk is substantial that more waste will occur.

Mr. Speaker, the risk is substantial that you cannot artificially hide prices. I know it is painful.

Let me say we do not have price caps in Colorado. Do you know what has happened to my wife and my family here in the last 6 months? We have conserved energy. Why have we conserved energy? Because we did not have price caps.

Do you know that not having price caps what happened to our bill? Our bill went through the ceiling with our natural gas bill. We were stunned. We got a \$500 natural gas bill one month and you want to bet that we did not start conserving immediately. Of course, we did.

If we would have had a price cap where it said, look, no matter how much you use, we are only going to have to pay a cap of this amount, it defeats the purpose.

It is a manipulation of the market. That never has happened in the history of this country. I know it is popular. I know it is popular. Seventy-five percent of the people support it.

I am telling you, take a look at the history. Seventy-five percent of you supported it, but there has never been successful price caps in the history of this Nation ever.

It is always popular when it is suggested, because, of course, it is only suggested when prices go up. But it has never, ever worked. That is where we have a leadership obligation to at least stand up to the popular opinion and say, I know we want to jump on board, but before we do jump on board, take a look at what the long-term risk of putting price caps on it does.

Price caps impede energy conservation and drive away new energy supplies. Some have called for regionwide price caps, including costs-of-service ratemaking. That is part of California's effort. Simply put, wholesale and retail price caps prevent markets from working properly.

It is a manipulation of the market and is a politically expedient solution that has exaggerated problems that they are supposed to fix. Price caps create an imbalance between supply and demand by preventing utilities from passing along market prices.

Retail price caps disrupt the natural relationship between supply and demand and prevent markets from operating efficiently. It eliminates incentives for conservation and harms the environment.

Retail price caps eliminate consumers' incentives to conserve in times of tight supply, because consumers are not paying the true cost of the electricity, for example. Without incentives to reduce consumption, older, dirtier plants are kept running longer.

Let me say that price caps sound good, but think about it. If you artificially keep the price low, you are not putting the investment out there that you need for further supply and reserves for further supply exploration.

If you keep price caps, you have no encouragement at all for people to con-

serve because they are not feeling the pain in the price. As I mentioned earlier, the primary reason I would like to say is because we wanted to do the right thing and so on.

In fact, I think all of us would admit that the primary drive outside of the State of California, where you do not have price caps, the primary drive for conservation was the fact that because we did not have price caps, our bills went through the roof. You can bet that the energy conservation immediately went into place.

Mr. Speaker, I hope that as prices begin to drop that all of us continue our responsibility for energy conservation.

Let me just summarize my position on California. California is a very important State. We cannot walk away from them. They are a State after all.

They are the sixth most powerful economic power in the world, but California has to deploy or employ their own self help. They should not look at the other 49 States, which, by the way, are not in the situation California is, because they did not say "not in my backyard," because they did not refuse to allow generation plants in their State, because they did not refuse to allow gas transmission lines in their State, but California cannot expect the other 49 States to bail them out.

We ought to help, but California has to pull itself up by its own bootstraps. California, from an agricultural point of view, from any number of different point of views, is critical for the economy of this country, but, by gosh, the leadership out there in California has to quit shifting the blame to everybody else and accept the fact that this is going to be a painful process, that you are going to have some trade-offs.

You are not going to get electricity without electrical generation plants. You are not going to have natural gas without natural gas transmission. That is the point I am making about California.

Let me talk for just a moment here about another common sense approach, and that is hydroelectric, hydropower electricity conservation combined with common sense. Worldwide, 20 percent of all electricity is generated by hydropower.

We are the 2nd largest producer of hydropower in the world. Canada is first. Hydropower makes a lot of sense. Let us take a look at how hydropower works. It is really pretty simple.

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Here is a dam. You have to have a dam. As I mentioned earlier in my remarks, out in the west, for example, we have got to have the capability to store the water. Here in the east, you need dams to control flooding. You also need storage water.

But in this country, our dams provide us a lot of generation of electricity. Remember, with hydropower, we do not have to have a coal burning facility. We are not using natural gas. In fact,

we are not using any fuel at all to generate electricity. This is a renewable resource.

What we are grasping, what we are grabbing is the energy that is created as a result of the fall of the water. You put the water here, it end up here, and the energy that is created between the two points is what we grab to spin a turbine to create electricity. That is exactly what hydropower is about. That is the beauty of the nature of this thing. It is a renewable resource.

The storage of the water that is necessary provides for recreation. In fact, our largest recreational water body in the West is Lake Powell. That provides for a tremendous amount of family recreation. It provides for fisheries. It helps us control floods, et cetera, et cetera.

So the water comes in, the water drops through, turns the turbine here, and the turbine generates the electricity, and out it goes on these power lines. But do you know what? You have got to be able to let these power towers come. You have got to be able to allow transmission lines come into your area. You cannot always think that the burden is going to be on your neighbor's property. You cannot always think that the burden is going to be on every other State of the union, which is exactly the policy that the leadership in California adopted. That is why one out of 50 States has got a real serious problem.

Now, up in the northwest, of course, the Columbia River is way down because of the drought. I think, frankly, going back to California, you have got to commend the people in California. In the last month, we have seen a tremendous amount of conservation in California.

I think because they have some of these price caps and they are also selling bonds, they are indebting future generations to pay for this generation's use of power. Talk about unfairness. For years here, when I was in the Congress, we talked about how future generations do not deserve the debt that we are putting on them, that we should balance the budget.

In the State of California, they are using the power today, and they are selling bonds, they are indebting their State and letting future generations pay for the power. That is not right. We ought to absorb the pain as we go.

It is the same thing with hydropower. You have to have transmission towers. There is a lot of common sense that can be deployed here that will give us results where one State does not suffer at the expense of other States, where some people do not suffer at the expense or benefit at the expense of other people. There is a lot we can do.

Let us take a look at, real quickly, hydropower. This is a very important statement that I wanted to cover. Take a look at what utilizing hydropower does, this first statement. Hydropower is clean. It is clean. It prevents the

burning of 22 billion gallons of oil or 120 million tons of coal each year.

The hydropower that we have in place in this Nation, we are the second largest user in the world, Canada is the first, our utilization of hydropower saves us and prevents the burning of 22 billion, 22 billion gallons of oil, and 120 million tons of coal. That is a lot of coal that we do not have to burn because we have used a common sense approach and we have built hydropower.

Now, as with exploration of coal, as with conservation, you need to use a reasonable approach and you need to use an approach that is sensitive to the environment. I do not propose for a moment that we go out and build a dam anywhere we want to build a dam, but I do propose that we do not reject it on its face.

I do propose that hydropower be something that we consider, that it go on the table for this energy policy that we have all determined is absolutely necessary for future generations of this country. Our leadership obligations require us to begin and complete the process of an energy policy.

Take a look at what it does. Hydropower does not produce greenhouse gases or other air pollution. We have heard a lot about air pollution. We have heard a lot about greenhouse gases. Hydropower does not produce that. Hydropower leaves behind no waste. Think about it. When you burn gas or oil or any other resource, you leave some waste. Hydropower, you do not leave any waste. The water goes through, turns the turbine, generates the electricity.

Reservoirs formed by hydropower projects in Wisconsin, for example, have expanded water-based recreation resources. It is renewable, and it is common sense. That is the kind of policy that we have to put in place for energy in this country.

Let me just kind of summarize my comments this evening and what I think is essential. First of all, I pointed out at the beginning in my remarks energy prices are beginning to drop. In fact, it is my prediction that we will actually have an electricity glut, an electrical glut here in the next year or so.

Believe it or not, last year we had 158, now this is not in California, but throughout the rest of the Nation, we had 158 new generation plants come on-line last year, 158. What you have been reading in the media or hearing from some of the political rhetoric is that there had not been any electrical generation facilities. We had 158.

In fact, if we build out everything that is planned for the next 5 years, if you take weekends out, we will have a new generation facility open every day for the next 5 years if you do not count weekends and if all of those projects that are planned are built out. We are going to have an excess of electric generation, but that is part of the market. It will work itself out.

But the key is this, you cannot have good energy policy by having artificial

price on the product. You cannot have price caps. I know it is popular. I know it is the politically correct thing to be talking about.

I know I am going against the wave of popular thought, but the reality is, by going out and selling bonds or by putting an artificial cap or a price, one, you do not help at all in conservation, you encourage waste; and, two, somebody has to pay for it.

Remember basic accounting. Every time you have a debt, you have a credit. Every time you have a credit, it has got to balance out. Every time you sell something at an artificially low price, you have to subsidize it. Somebody is paying for it. In California, they are selling bonds to raise the cash to buy the electricity that is being used today. Those bonds are going to be paid by the working people of tomorrow. A little unfair, a little inequitable in my opinion.

But to come back to my main point, we have an obligation to help California. California has an obligation to help itself. We have an obligation in this country to conserve. That is part of it.

Probably the most important poster is this poster right here because I think this diagram illustrates our energy production if it is going to remain flat, I think it will go up a little, but if it is going to remain flat, and our energy consumption is going to continue to climb at that angle, we are going to have this projected shortfall. Common sense will allow us to fill in that shortfall. Remember, we have got to fill in all the blue on this chart. Common sense allows us to do it.

How do we do it? Conservation will fill in a part of that chart. Alternative fuel like solar generation or alternative generation will fill in a little gap of it. But the rest of it, it is going to have to be filled in by further exploration of natural gas resources or nuclear resources or coal resources.

We can combine. Our answer is not any one of those things I mentioned, not coal, not nuclear, not conservation, not solar. None of those standing alone can solve the energy crisis that we could have in the future. Certainly it is not solving the energy crunch that we have today.

But combined, when you combine conservation with alternative fuels, with renewable energy like hydropower, with further oil and natural gas exploration, when you put that combination, you can construct a model. You can construct a model that can deliver the energy needs to this Nation without requiring undue sacrifice on the lifestyles of the people of this Nation. You can create a model that will provide energy for future generations.

After all, our discussions on this floor, our discussions are not just focused on this generation. This generation has an obligation to think about future generations. We have an obligation to provide energy just as much as we have an obligation to provide a

strong defense, just as much as we have an obligation to provide a strong educational system.

It is no less of a responsibility to take a look at our future energy picture than it is to take a look at education or health care or any other issue you want to talk about for future generations. We have that opportunity today.

So I would urge my colleagues that, even while the price of energy is dropping, we have an obligation to continue to urge people to conserve. We have an obligation to continue to try and assist our colleagues in California and every other State in this country, to say just because energy has become more affordable does not mean that our energy crunch does not still exist.

We have got to plan for the future. We had that opportunity today in our hands. Now it is going to require leadership. It is going to require an energy policy which we have not seen for 8 years.

We have got a President. We have got an administrative team and many of my colleagues on both sides of the aisle that are prepared to put together an energy policy. That debate has already begun. Now we need to take it to its logical conclusion, and that is to come up with a policy for this generation and future generations of this country in regards to energy.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 933

Mr. JEFFERSON. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor from H.R. 933.

The SPEAKER pro tempore (Mr. KENNEDY of Minnesota). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

DIGITAL DIVIDE ELIMINATION ACT OF 2001

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. JEFFERSON) is recognized for 5 minutes.

Mr. JEFFERSON. Mr. Speaker, I am here today to discuss the digital divide that is plaguing our country and to garner support for legislation my colleagues and I have introduced to help alleviate this crisis, H.R. 2281, The Digital Divide Elimination Act of 2001.

Computers are becoming the crucial link to education, information, and to commerce. For all Americans, personal and economic success will depend on having the ability to understand and use these powerful information tools. However, according to the Department of Commerce, less than 10 percent of households with income below \$20,000 own computers or have used the Internet, an absolutely alarming statistic. Unless this changes, these poor families in both urban and rural areas will be left behind.

Educators and industry leaders alike realize a serious problem associated

with the digital divide and are taking steps to bring computer technology to schools and libraries across America. We, as public officials, applaud these efforts. However, these efforts are not enough.

If we are going to truly give every American access to technology and improve the way our children learn, the Federal Government must join in to bolster these efforts and, more importantly, to help extend technology and technology access to every home in America. Only then will these children and their families gain an appreciation for technology and the Internet in the home, unfettered by the constraints of an institutional setting.

The legislation my colleagues and I have reintroduced this year provides additional tax incentives to induce private companies to donate computer technology and to induce poor families to purchase computers.

First, the legislation increases the special deduction for computer donations from three-fourths of the computer's sales price to the higher of the full sales price or its manufacturing cost. For example, if the manufacturing cost of a computer is \$500 and the sales price is \$1,000, the charitable deduction is increased from \$750 to \$1,000.

The special deductions for computers has already induced computer manufacturers to donate thousands of computers to schools across America. Now, as a result of this provision, computer manufacturers will have an even greater incentive to donate unsold computers because they can deduct the full value of the computer.

In addition, non-manufacturers will also have a greater incentive to donate computer equipment even where the depreciated cost of the computer exceeds its market price. Under current law, it is more economical for many non-manufacturers to throw away used computers than to donate them to charity because they can take a higher tax deduction for disposing of the computer than for donating it. That is clearly bad tax policy. Thankfully, this provision will change that result.

Second, the legislation will extend the special computer deduction through 2004 and expand it to include donations, not only to libraries and training centers, but also to nonprofits that provide computer technology to poor families. Nonprofits such as Computers for Youth in New York City have placed computers into the homes of hundreds of low-income families. We need to encourage similar efforts by nonprofits across the country. Only then can we make our mutual goal of bringing technology into every home in America a reality.

Finally, the legislation will provide a refundable credit equal to 50 percent of the cost for computer purchases by families receiving the earned income tax credit up to \$500. While the cost of computers and Internet access are dropping, the cost of computers still

remains a barrier for many low-income working families. Returning half of the cost of the computers to these families will go a long way towards helping working families help themselves and provide a brighter future for their children.

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In fact, the \$500 refundable tax credit makes computers more affordable than ever for the working poor. Here is an example. In the June 17 edition of *The Washington Post*, which I have an example of here, Circuit City advertized a Pentium II computer for \$1,099. The price is slashed by the manufacturer and retail rebates to \$499. With this \$500 tax credit, the actual cost of that computer would be reduced to nothing, a free computer to a poor family. Computer companies and retailers will get business from a segment of the population that did not have affordable access before, and the working poor will receive affordable access. It is a win-win situation.

Mr. Speaker, bringing technology to all our children is key to our Nation's future and prosperity. I implore my colleagues to recognize the long-term negative impact that could result from not eliminating the digital divide and urge their support of this legislation. Together, we can ensure a much brighter tomorrow for our children and give them the tools necessary to compete and lead the next generation to an even brighter future.

HMO REFORM

The SPEAKER pro tempore (Mr. MCINNIS). Under the Speaker's announced policy of January 3, 2001, the gentlewoman from California (Mrs. CAPPS) is recognized for 60 minutes as the designee of the minority leader.

Mrs. CAPPS. Mr. Speaker, I rise this evening to speak about the need for a strong and enforceable patient's bill of rights for the American people.

I am one of three nurses currently serving in the House of Representatives, and there are other health professionals of all stripes among my colleagues, from doctors to public health specialists and microbiologist, from psychologists and social workers to psychiatrists. Together, in all of our experience and training, we know that we need to pass a real patient's bill of rights, a bill of rights that offers the American people real protection from the hard edges of managed care organizations or HMOs.

Tonight we are going to share with our colleagues our firsthand experiences and make the case for the Ganske-Dingell bill. We have seen firsthand the damage caused by the excesses of the bean counters and the men in green eyeshades when they are too aggressive in containing costs. These bureaucrats have often done real harm to real people when they have taken on the role of medical professionals. Those of us here in Congress

with medical backgrounds want to give our constituents the ability to fight back, and we think that the Ganske-Dingell bill is the best way to do this.

This legislation guarantees access to high quality health care, including access to emergency or specialty care, to clinical trials, and direct access to pediatricians and OB-GYNs. It also holds health plans accountable when they interfere in the medical decisions of a trained medical professional. It provides for a strong external review process by medical professionals; and then, after that process, and if that process is exhausted, patients will have access to State courts.

The HMOs have bitterly criticized this proposal on the grounds it will lead to frivolous lawsuits. The Ganske-Dingell bill is based on one now in practice in the State of Texas which has allowed patients to sue their HMOs and there have been only a handful of lawsuits of any kind. There is no evidence that this bill will lead to frivolous lawsuits, but it is an essential protection that our patients need because of the deterrent factor that it provides.

Managed care organizations are operating in an environment designed to keep costs low, and we do need to control costs to keep health care affordable, but HMO administrators are under an incredible amount of pressure to cut corners. Often this pressure is excessive and leads to bad decisions and insensitive, inappropriate, and sometimes very damaging actions. Abuses of patients' rights to quality health care are very common, too common. There needs to be a counter force on the side of quality care, on the side of the patients, and that counter force has, at the bottom line, the threat of going to the courts.

Access to the courts will help to restore the balance to the scales and will prevent the need for efficiency outweighing the need for quality care. It is what gives the patient's bill of rights its teeth. Without it, HMOs are free to continue their current practices without fear of the consequences. My constituents do not want to go to court to get the health care that they need, but HMOs do not always want to provide that care. And HMOs do not want to go to court either. The threat of appropriate litigation is how average Americans will keep the HMOs honest. We need to give patients that tool.

Mr. Speaker, if the ceiling in this room were to collapse today because of a contractor doing shoddy work to save money, those of us who were injured would be able to sue that contractor in State court. This provides an important incentive for contractors to do their work well. The same should apply to managed care.

And so I support this legislation, as do many of my colleagues with medical backgrounds. We know our patients. We know the HMOs. We know this issue and its importance. We know the challenges we face and we know how to overcome them. We know this bill is

the right thing to do. So we are here this evening, Mr. Speaker, to help our colleagues see this example as well. We have an obligation to our constituents to do our duty and to pass this legislation.

I want to now introduce and invite to the podium a colleague of mine, the gentlewoman from New York (Ms. SLAUGHTER). She is going to present her viewpoint as a microbiologist with a master's degree in public health. She is particularly respected for her efforts on genetic nondiscrimination and women's health.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentlewoman from California for taking time this evening and for yielding to me.

In my judgment, one of the most important aspects of the patient's bill of rights gets the least attention, and it is the potential impact on public health. Now, although most people think of this initiative as one involving individual patients and their access to care, there are major public health implications as well.

In our Nation, public health has become something of a forgotten stepchild of the health care system. In other industrialized nations, public health goes hand-in-hand with individual health care: Communicable diseases are reported in a standardized fashion, all children receive vaccinations during their regular checkups, and public health professionals can track the incidence of disorders like cancer based on geography.

None of that is true in the United States. In this country, we have created an artificial division between individual health care and public health. Children are supposed to receive immunizations on a certain schedule, but many fail to receive some or all of their shots because they move, switch insurance plans, or lose coverage. Different States track and report different disorders in different ways, and the health of the individual is examined in total isolation from the health of the community.

The patient's bill of rights has the potential to address some of these problems. For example, the Ganske-Dingell bill contains a solid proposal giving women direct access to an OB-GYN. This provision can help us attack rates of sexually transmitted diseases by allowing women to go directly to the right doctor without having to waste the time, the effort, and the money of passing through a gatekeeper physician. If we can help women get treatment for sexually transmitted diseases quickly and effectively, we can reduce the rates of transmission.

Similarly, the Ganske-Dingell bill has provisions regarding direct access to pediatricians for children. Parents need to be able to get their children to the right doctors as quickly as possible, especially in the cases of communicable diseases, which often can be mistaken for other sicknesses in their early stages and spread like wildfire in

settings like day care and schools. If we can prevent the transmission of diseases like these and many others when the patients can get timely care under their insurance plan, we benefit the whole community. Sick people create sick communities. When we delay care, we place numerous other individuals at the risk of illness. A patient's bill of rights would help patients directly to get the care they need.

I would like to note that State, local, and Federal governments have a major financial stake in the patient's bill of rights as well. When patients cannot receive timely care under their insurance plan, they often seek care in other places, such as clinics and emergency rooms. And in many cases the cost of their care must be absorbed by the facility, the State assistance plans, and Medicaid. The Federal Government spends tens of millions of dollars each year to fund the so-called disproportionate share hospitals, which treat high numbers of patients lacking coverage. If we could reduce the amount of unreimbursed care in this Nation by even a small fraction, it would make a tremendous difference to many struggling hospitals and facilities, and that in turn would allow those facilities to dedicate more resources to public health goals, like indigent care and outreach.

Finally, as a public health professional, I find it deeply troubling that Congress would consider allowing insurance companies to continue practicing medicine without a license. Insurance company bureaucrats have no business inserting themselves into the doctor-patient relationship. Middle managers should not second-guess M.D.'s. If insurers want to practice medicine, then they must be responsible for the consequences when things go wrong, and that means being held liable for medical decisions.

I am pleased that our colleagues in the other body are debating a strong, responsible patient's bill of rights. The House majority leadership bill, H.R. 2315, does not pass muster, and I hope that all of my colleagues will pass up this anemic version in favor of a real patient's bill of rights, H.R. 522, the Ganske-Dingell Patients' Bill of Rights.

Mrs. CAPPS. Mr. Speaker, I want to thank my colleague, the gentlewoman from New York (Ms. SLAUGHTER), and particularly for her perspective from a public health point of view.

I know many of us, when we saw the managed care plans coming on the horizon as a cost containment method applauded the program for its preventive care aspects, and some HMOs still do offer these, and they are to be commended. But many, in their cost cutting methods, have curtailed the prevention aspect and the guidance and some of the extra programs that are offered through counseling and health education, advice for families, and the periodic checkups that are part of a good developmental program for children in favor of cost containment. So I

think we should go back and accentuate.

We need to point out that this patient's bill of rights is not an attempt to do away with managed care, but to reform it and to bring it back into the arena of the responsibility of health professionals for the care of their patients and the ability of patients to get the kind of care that will be in their best interest in health care.

I wish now to give time to my colleague, the gentleman from Ohio (Mr. STRICKLAND). He is a psychologist and now is my colleague on the Subcommittee on Health of the Committee on Commerce. He has been a leader for a long time on the patient's bill of rights and comes to Congress with his perspective, coming right out of his work in psychology in his Congressional District. I am happy to yield to him.

Mr. STRICKLAND. I thank the gentlewoman for yielding to me.

Before coming to this House, I practiced psychology in a maximum security prison, working with mentally ill inmates; I worked in a community mental health center; I worked in a large psychiatric hospital; and I have worked with emotionally disturbed children. The fact is that we do need a strong patient's bill of rights. And it is puzzling to me, it is truly puzzling to me that today in America patients can be abused by managed care organizations and have no legal recourse.

I would like to share with my colleagues tonight a story of one of my constituents. Every one of us here in the Congress, whether we are Democrats or Republicans, regardless of what part of the country we are from, have constituents who come to us with their problems, and I would like to talk this evening about a young woman who is 31 years of age. She lives in a small town in Highland County, Ohio. Her name is Patsy Haines.

Patsy's husband called my office several weeks ago and he asked if we could be helpful. He told us that his wife suffered from chronic leukemia and that she had worked for 5 years at this company until she became too ill to work. She was diagnosed with this life-threatening illness. Her doctor told her that she needed a bone marrow transplant. Patsy has a brother who is willing to participate, who is willing to help her, and he is a perfect match for such a transplant surgery.

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The problem is that Patsy cannot get her insurance company to agree to pay for this surgery.

I went to the James Cancer Hospital in Columbus, Ohio, possibly one of the premier cancer facilities in this Nation. I spent half a day there, and I talked with the doctor who is over the entire transplant program at the center, and I spent a couple of hours with a young doctor, a very inspiring doctor, who is a specialist when it comes to bone marrow transplant surgery.

This young doctor was incredibly sympathetic to Patsy Haines' condition, and agreed to talk with her and her physician.

After his consultation, he agreed that this young woman needs this surgery. He told me that if she receives this surgery, she has a very good possibility of recovery, of living a long life, of being a mother to her child, a wife to her husband. But the sad fact is if Patsy Haines does not receive this surgery, she very likely will lose her life.

This past Saturday I went to a high school in Hillsboro, Ohio. Community members had brought together items to auction off for Patsy. Patsy was there in a wheelchair because her illness has progressed to the point where her legs are badly swollen and she needs a wheelchair in order to get around. People sat on those high school bleachers, and they bought items which had been offered for auction. Patsy Haines is an incredibly inspiring young woman.

I do not know if she is watching tonight or if her family or community members are watching tonight, but she inspires me. I said something at that auction that I truly believe, that none of us are islands. None of us in this world stand alone. As Members of Congress, we should have the attitude that each constituent's joy is joy to us, and each constituent's grief is our own.

I feel grief for Patsy Haines tonight. It is shameful in the United States of America in the year 2001 that we have car washes and sell cupcakes and auction off small household items to get the resources necessary to help a young woman get the medical attention that she so desperately needs. The American people do not want us to be in this set of circumstances. The American people are with us on this issue. Poll after poll shows that the American people believe if an HMO or an insurance company makes a medical decision and deprives a person of necessary and needed medical treatment, that they ought to be held responsible in a court of law.

As the gentlewoman said, the State of Texas has such a law, the State from whence our President came and where he was governor. During the last Presidential campaign I remember the President talking about the Texas Patients' Bill of Rights, and he displayed some pride in the fact that Texas had done this.

What we are trying to do in this Congress with the Ganske-Dingell bill and on the Senate side with the McCain-Kennedy-Edwards bill is to do basically what they have done in Texas. The gentlewoman is right, in Texas this law has been in effect for 2 years, and there have been literally half a dozen lawsuits. The reason for that is, I believe, once this law is in place and the insurance companies know they are subject to going to court and having to face the consequences of that, it makes them much less likely that they will deny necessary treatment.

So tonight we are talking about something really important. I hope the American people are watching. I believe the American people of every persuasion, conservative to liberal, Republican, Democrat, Independent, strongly believe that citizens of this country should be protected from this kind of awful, terrible, treatment.

I hope as a result of what we are trying to do here Patsy Haines and her family, and Americans like her, will no longer be subject to this kind of mistreatment. What we are doing in the next 2 or 3 weeks here in Washington is as important as anything that this Congress has done in perhaps decades because we are taking the necessary step to see that American citizens, regular moms and dads and kids, get the kind of care they need.

I will close by saying this. A couple of days ago a colleague of mine held a press conference in Columbus, Ohio, and came out in opposition to the Patients' Bill of Rights because of the ability to bring suit that is given to the patient in this legislation.

There was a business executive there that had suffered a serious illness and was there to talk about the fact that he had been taken care of by his company. But not all of us are business executives. Some of us are just ordinary citizens like Patsy Haines. Our responsibility here in this Congress is to make sure that ordinary citizens are protected.

I thank the gentlewoman for this special order and giving me the chance to talk about my constituent. I believe that the American people are watching, and as a result of the fact that they are watching us, I believe we have a very, very good chance of actually getting this legislation passed and signed into law.

Mrs. CAPPS. Mr. Speaker, I thank my colleague from Ohio for sharing such a moving story. It is remarkable in this land of ours we have some of the best possibilities for health care in the world, and some of that is due to funding for research which has been promoted and supported from this House, this very body. We stand behind the great advances in our medical technology and our skills and opportunity. Yet at the same time we have such a gap between our ability to give health care and those who are actually able to get it.

Mr. Speaker, one of the barriers are those without access to any health insurance. That is the subject for another conversation here on the floor, but there are barriers even to those who have health insurance and how tragic it is to have an employer-sponsored plan and go to one's doctor, and sometimes it is a matter, as with the gentleman's young friend Patsy, of a life-and-death matter. To have that doctor's recommended plan denied by an HMO, to me that is practicing medicine; and particularly now with the legislation like we are supporting and proposing which would involve strong

external review so it would not just be the view of one doctor, actually we need to protect against frivolous medical decisions, but a panel of one's peers, and to have that still set aside by an HMO, that to me calls for some kind of last resort that can only be handled in a court of law. We do not want any more stories like the one that the gentleman from Ohio (Mr. STRICKLAND) shared with us about his friend, Patsy Haines.

Mr. Speaker, I yield to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN). She is the first woman physician ever elected to Congress. She is the Chair of the Congressional Black Caucus Brain Trust, and is always willing to speak and share her information in our efforts to pass this national Patients' Bill of Rights.

Mrs. CHRISTENSEN. Mr. Speaker, it is a pleasure and honor to join the gentlewoman from California, and I thank her for yielding to me to speak on this issue.

I am a family physician. I have almost 25 years of experience providing health care, mostly in the United States Virgin Islands, and knowing the importance of early access to quality health care to the overall health of this Nation, I never thought that 4 years after we began efforts to pass a strong Patients' Bill of Rights we would still have to take to the floor to plead for its passage.

This is another instance, as the gentleman from Ohio said, the people of this country know best. Americans have lost confidence in the current managed care system. They are calling upon us to fix it and to place the medical decisionmaking back in the hands of those trained to make those decisions, the physicians, and the hands who have most at stake, the patients. As late as today patients traveled from New Jersey to meet with Members of Congress, to meet with the Health Care Task Force to once again make the case for the need for the full provisions of the Dingell-Norwood-Ganske bill.

They talk about health care delayed and denied and lives lost or destroyed. Two of them told us of having to fight for needed health care while also having to fight at the same time the physically and emotionally devastating disease of cancer. All of their energy and attention was needed at that time and should have been directed to fight the illness and not an insensitive health care system.

We also talk about the plight of those who accepted their denials because they felt powerless to fight the large systems. I would say as a physician who has been involved in public health, I know that prevention is worth a pound of cure, but it does not take an M.D. degree to know that. Our grandparents told us that over and over again.

If we are ever to rein in the high cost of medicine, we can only do it by ensuring that everyone in this country, regardless of income level or ethnicity,

has access to good primary care, secondary care and tertiary care when they need it. To do this the bipartisan Patient Protection Action of 2001, the Patients' Bill of Rights that we are discussing this evening sponsored by the gentleman from Iowa (Mr. GANSKE), the gentleman from Michigan (Mr. DINGELL) and the gentleman from Georgia (Mr. NORWOOD) and Senators McCain, Kennedy and Edwards is an important step, long overdue, but better late than never, and a step that we must take now.

Even after the Patients' Bill of Rights becomes law, we will still have to provide health care coverage to the 43 to 45 million Americans who do not have health care coverage. We have to close the gap of color and those who live in rural areas. We have to make sure that our young people of color have access to health care careers, and can go back and serve their underserved communities.

A lot of debate is being focused on the liability causes that my colleagues referred to, and I think it is important to make it clear that this is not about lawsuits and large awards, it is about putting the necessary teeth in the legislation to make sure that the HMOs and insurance plans put the patient and his or her medical needs in front of their profits. Money cannot buy back the ability to walk to the paraplegic who lost mobility because of delayed health care, or bring back a loved one because they did not receive the diagnostic treatment that they needed.

The bill that we support does not, nor has it ever held employers who do not participate in making medical decisions to be liable. Employers if they do not intervene in making those decisions have never been held liable by the Patients' Bill of Rights that was introduced even in the last Congress by the gentleman from Iowa (Mr. GANSKE) and the gentleman from Michigan (Mr. DINGELL).

On the other hand if a managed care organization makes a decision about health care, they should be held liable. Providers have been liable for years, and managed care organizations or insurance plans who make decisions about medical care should be liable as well.

□ 2045

There is so much wrong with the managed care system that needs to be corrected, I know we could probably go on for longer than an hour. But we in this body do have the opportunity to put it back on the right track by passing H.R. 526, the Ganske-Dingell-Norwood bill which is also called the Bipartisan Patient Protection Act of 2001. We are here this evening to join you to say, let's do it.

Mrs. CAPPS. I thank the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for sharing her story. She brought up something that I want to accent, because I think it is such a sadness to see what I call revictimiza-

tion that so often occurs with people and their bureaucratic paperwork that they need to do. Often facing terrible diagnoses with sometimes horrendous outcomes and strenuous treatment regimes that they must go through and then on top of that, to need to struggle with the insurance company to provide the coverage. It is like doing battle on every front. It must feel to the patient and also to their family like being kicked when you are down, when you have such a battle and such a struggle with your health care itself, and trying to save your life or trying to get back on track again with your health and then to be constantly nit-picked or told no, not this, and so many hoops to go through, I really feel like we need to get it back into the priority and to streamline many of the approval processes and to make it so that we are treating people with the dignity really that all of us know as American citizens that we want to have. For this to be so completely, not always, but so frequently gone down a different path, that is a most humiliating experience for someone who has to go through it. That is certainly part of what we want to correct in this Ganske-Dingell patients' bill of rights.

Now it is a pleasure for me to yield time to one of my fellow nurses here in Congress the gentlewoman from New York (Mrs. MCCARTHY). She represents one extreme end of the country and I am out there in the other end but we are both nurses. That means we are joined at the heart. We have worked together to make sure that the patients' bill of rights, for example, includes whistleblower protection for nurses and other important pieces. It is no surprise to either the gentlewoman from New York or I that the American Nurses Association and so many of the other nurse groups around the country are strongly in support of this particular patients' bill of rights.

Mrs. MCCARTHY of New York. I thank my colleague from California and my fellow nursing partner and certainly our friends that are physicians.

You have heard stories tonight from us. You have heard us tell stories about our constituents. But I think if you hear and have listened to us, why are we so passionate about this? Why are we backing the patients' bill of rights? I am going to tell you a story, also, but this story is very personal. Even before I ever came to Congress, I had spent over 32 years, my life, as a nurse. All of us, we went into health care because we care about taking care of people. And we see our doctors today, they still care about their patients. They are fighting for their patients on a daily basis.

But I want to tell you a personal story on why this bill is personal to me. Going back several years ago, something happened in our family. My son ended up being in the hospital. I have to say when he was in the hospital and he was in the intensive care unit, he got the best care you could possibly

ever see. Because he was in the hospital, everything was approved. Then Kevin had to spend a long time in rehab. They told me he was actually going to spend a year in rehab. My son was only 26 years old at that time. He went through the sessions in the morning. I would be there with him 18 hours a day. By lunchtime, I am saying to myself, "Well, he's not tired, let's do rehab again."

Of course, I went to the head of the unit and I said, "Let's do the whole session all over again."

"Well, we can't."

I said, "What do you mean you can't?"

"Well, the insurance companies will never pay for a double session."

I kind of sat down and I thought about it for a while and I said, well, I can do a lot of this stuff on my own with him, I had the training for it, I knew what I was doing. But then I went back to the director and I said, Wait a minute. My son is 26 years old. He can do more. And if we actually look at it, if he has double sessions, that means he is going to get his therapy, twice as much in one day and he is going to be out of here twice as fast. As I said to you, they had told me he would be in rehab for a full year.

Well, we won that battle. I got him the double sessions because the hospital decided even if the HMO at that time would not pick up the cost, they would. So Kevin started with double sessions. We were out of rehab in 3 months. Obviously he had to go to rehab for a good several more months as an outpatient but that was only the beginning of our battle. Because every single thing that we had to have done for Kevin as far as rehab and everything else, we had to fight for those services. But here is where the kicker came in as far as I am concerned. Kevin had to have a procedure done. He had to go back in the hospital. Five doctors, five of their doctors, their doctors, said Kevin had to go in the hospital for a surgery. We were turned down. Each doctor went to bat, said, wait a minute, he has to go in the hospital and he has to have this surgery done. And he was turned down, he was turned down, turned down. All the way up to the point where I finally talked to the medical director of the HMO and I said, "Why are you denying him this operation?"

"We do not feel he needs it."

I said, "Who are you to make that decision when five of your doctors, a neurosurgeon, a neurologist, the surgeon himself, the cardiologist and the vascular man said he had to be in the hospital for this operation?"

I said, "Do you know what my son's medical history is?"

He said, "Well, actually I have it." By the way, his medical history was a little bit larger than the Manhattan telephone book. He did not understand it. He could not understand it.

Now, we were kind of lucky. The company that Kevin worked for hap-

pened to own the HMO that Kevin was covered under. Well, I found out who the CEO was of that company and I called him up. I said, this is ridiculous. And he agreed with me and he called and Kevin was in the hospital in a couple of days.

My point is, why did we have to go through this? Why did I have to spend that time trying to get the care for my son that he needed? If anyone even thinks that Kevin wanted to go back in the hospital or I wanted him back in a hospital, believe me, that is not the place we wanted to be. We would have been happy if we had never seen another hospital the rest of our lives. Now I am in Congress and on a daily basis we have to fight for my constituents to get the care, number one, that they deserve. They deserve. Because the decisions are made by our doctors. And unfortunately when we talk about the patients' bill of rights, people out there do not even realize the consequences that are going on in the health care system today because of the rights that doctors do not have anymore. Doctors are not encouraging their children to become doctors and we are seeing that falling over to where nursing is falling off short because nurses are not going to go into the health care system because they see what is going on. There has been a trickle-down effect for the last several years.

We have all worked with our health care providers. We have all worked with everyone that comes in to see us because they know we are in a health care position. By the way, we might be in Congress, but our first job still is to provide the health care system to all of our constituents across this Nation. That will always be my first priority, because that is an oath that we have all taken, to provide care for those. Now our jobs are just bigger.

You took care of all your patients back on the island. You certainly took care of all the children in the schools. I certainly took care of my floor full of patients. Now all of us have hundreds and thousands of more patients to take care of. That is why we are backing the real patients' bill of rights. That is why we are involved in this so passionately. We want our doctors to be able to make the decisions. We want our nurses to be able to give the care that they need without ramifications, that if they report something, they are not going to be fired or they are not going to be, what we call rotated around to floors that we did not want to be on. These are important protections.

All you are unfortunately hearing about in the newspapers is the suing thing. Again, let us go back to our President and his State of Texas. They have a patients' bill of rights, and they have not been sued. The amount of lawsuits in Texas since it was implemented is so tiny it is not even worth talking about. I will be very honest with you, if the correct care is given to all of our patients, no one is going to sue.

If you have the time and certainly my colleague from California, I would love to have a colloquy, because I happen to think we, is it not amazing it is three women, but we really have firsthand experience on how this real patients' bill of rights is going to help the American people.

Let me say one other thing. Many people think their HMOs are terrific, and there are some good ones out there. We are not slamming all of them. What we are saying is, though, until you come up with a situation where it might be chronic health care or maybe a life and death situation, or maybe it is a bone marrow transplant which they still consider experimental, but if you fight it long enough, you are going to get it, it is just that they want you to fight for it, and that is wrong. All of us have seen families going through so much. They should not have to worry, can I do this, can I raise the money to have it done. America is better than that. We know America is better than that.

Mrs. CAPPS. I want to thank my colleague from New York for sharing her personal story of her son and remark that she fought hard, she had to make a lot of phone calls. Some folks do not have that facility. Maybe there are language barriers. Maybe there are other barriers or they give up. That is compromised health care. That is health care that goes unmet, health needs that go unmet. Her son happened to work for the HMO, the president or whatever the situation, so that she had a personal connection. How about the thousands and thousands of families that do not have that privilege and have that opportunity? We need to speak for them. We need to have this be legislation that really does address the issues so that situations can be relieved just as a matter of course, not as a matter of exception.

But I want to bring up and am happy to have the gentlewoman from the Virgin Islands join us as well, but I do not want to leave another topic that the gentlewoman from New York brought up in her time as a nurse, and, that is, the important measure in this bill, the whistleblower protection. Let me make a couple of statements about it and ask our colleague who is a family physician to respond as well from the hospital perspective.

I am concerned now as many in this House and many across the country are about the shortage of nurses. We have a crisis. We have 126,000 positions going vacant today in our hospitals and health care facilities across this land. We have many things we need to do to address this. But one of the issues that is of real concern to those who work at the front line and in the health care settings is the demoralization that occurs when a person with professional standards has been trained and goes to work in a setting and sees and observes something which is not to that standard and has no recourse. It is the most awful experience to go through and

think, this is wrong, and sometimes you are there and you have to participate, and, for fear of your job, you cannot go to someone in higher authority or to an outside agency and a place without fear of retaliation. So this whistleblower protection which has been included in the Ganske-Dingell patient protection bill is vital. I know from my own personal experience in public health out in the community to have this accountability so that the confidence that you have when you go through training, which is hard enough, and then go out to work, which is also challenging. This kind of work that we are talking about that nurses and doctors and health care professionals provide is not the easiest in the world. It has its tremendous rewards. But when you feel that barricade, that you see something and you cannot report it because your livelihood will be on the line, well, that demands correction. That piece in this bill I believe we need to stand up for. Maybe either of my colleagues would like to comment.

Mrs. CHRISTENSEN. Let me just say that the nurses from the Virgin Islands are up this week as well and this is something they are very concerned about. I wholeheartedly agree with everything the gentlewoman said about needing to keep that in the patients' bill of rights, the fact that it is included only in the Ganske-Norwood-Dingell bill. But I wanted to say something about something else that our colleague said. She said that when her son was in rehab, if I heard her correctly, the rehab facility decided that even if they were not going to get reimbursed they would provide the service and soak up the cost.

□ 2100

We find that happening more and more where either the provider or the facility is saying, well, we know this is necessary.

So we are going to take the chance. We are going to provide it to the patient even if we do not get reimbursed. Well, hospitals cannot afford not to be reimbursed and still be able to provide quality service to the patients that come to them, and providers on the other hand, they are also taking the risk and saying well, I know my patient needs this, I am going to go ahead and do it, make the referral or order the diagnostic test but when they come up for review later on they run some risks as well.

We find that more and more providers, whether it is a hospital or a physician or another health provider, they are making those decisions to provide the care and take the risks but it also puts the patient under some stress that again they do not need to know, well, am I going to have this paid for. I am really glad we are here tonight supporting the Ganske-Dingell-Norwood bill because this bill provides for access to specialists. The decision is going to be what is medically necessary, access to emergency room serv-

ices, just using your prudent layperson's judgment so that people can get care and get it early and that our facilities and our providers can be reimbursed for the services they provide.

Mrs. CAPPS. It is really common sense legislation. Those of us who have been doing health care work, I have spent 2 decades in my school community in the public schools of my community on the front lines every day with families that were seeking medical care and doing battle with their HMOs. This is not to do away with them. We are not trying to give insurance a bad name. We need it.

There are good plans, but when excesses occur and when people step over the line, companies do and providers do, then they have to be held accountable because the bottom line is a matter of basic common sense and what is right for families, for individuals, for this country really in terms of access to health care and good quality health care. I appreciate the comments of the gentlewoman on that.

I want to also make sure that we include in this discussion another very important piece of the Patients' Bill of Rights which includes the opportunity to have clinical trials be continued and be able to continue your insurance.

I have some personal experience myself, so many families do, with members of family who are confronted with the most awful diagnosis, one of the most awful of all, which is the word cancer, and to know that many of the treatments that work for cancer are so recent in their discovery that they have not yet been fully implemented or approved under the Food and Drug Administration and, therefore, they are still under the clinical trial phase but if your doctor tells you that without treatment and without this particular kind of treatment, as our colleagues stated earlier in this hour, that there is no chance really for life to even continue, you might have a few months at best but you could try this clinical trial, you could embark on that course, I know personally, with my own family, that you do not hesitate for a minute; give me that chance; give me that straw to hang onto, particularly if it is one that has gone through several phases but it is still not approved yet and yet it has offered hope to others and treatment and good results to others; oh, you cling to that with your life. You do anything to get that treatment for your loved one, and in yet that very dark hour in your life, so many of insurance companies give you this ultimatum: You go down that path and you seek that medical treatment and we are cutting your insurance; you are losing all of your insurance.

That is like a death sentence. That is an amazing position to be put into as a person, or with your loved one sitting there beside you having to make those terrible choices. We should not be forcing our patients to make this kind of choice. So that is why this Ganske-

Dingell bill will require that insurance companies continue their basic coverage of patients when they elect to participate in clinical trials.

Now that makes sense. That is a good thing to do. That is what we should be doing for those with the awful diagnoses that many are facing. We want to make sure that new and different treatments are available to all patients without having them lose their ability to have coverage for regular treatments. This is a good measure within this Ganske-Dingell bill. So I offer it as one of the reasons I am supporting it and perhaps either the gentlewomen with me tonight would like to comment on that or any of the other topics that we have left out.

Mrs. MCCARTHY of New York. One of the things I would like to comment on, and I support the words that the gentlewoman has just said, again we as health care providers know a lot of times that when our patients are certainly looking for something to hang onto, and God knows we have seen our patients fight for every breath that they take and they want to try something to continue to be with their loved ones, but it is the loved ones that unfortunately are faced with this fighting most of the time; a lot of the patients do not. We have become their advocates. We are still taking our oath very seriously; the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) as a doctor, myself and the gentlewoman from California (Mrs. CAPPS) as nurses. We are there to protect our patients, as I said earlier, and we will continue to do that.

I think again what I am seeing, which really starts to scare me because are we coming into a society for those that have really good insurance and those that have minimum insurance, those that have really good insurance will get the health care that they need; those that do not they are not going to get the health care. I spent, like I said, 32 years in nursing. We did not know who was wealthy. We did not know who was poor. Everybody got the same kind of treatment in the hospital.

Going back to earlier what we were saying about where the hospitals would pick up because they felt the treatment was needed, that is their obligation because, again the good hospitals, the good health care providers know their job is to take care of the patient.

Mrs. CHRISTENSEN. Absolutely.

Mrs. MCCARTHY of New York. The majority of hospitals in this Nation do not make money. They are always in the red because every penny they get goes back into the infrastructure of the hospital.

Now, I think the three of us, once we get this Patients' Bill of Rights through, we could come back and talk about all the other ills that we are seeing in the health care system, things that all of us are working on for future bills, because we have to start addressing them and we have to face them. We cannot hide our heads in the sand anymore.

Five years ago, when the gentlewoman came in, we started talking about the whole collapse of our health care system; 5 years ago. Here we are now finally having a bill out there that can make a difference, but we have a long way to go. We have to bring the health care system back to the way it was. Certainly our hospitals have learned to cut down on costs. Certainly we have to make sure there is not fraud and abuse. We will do that, but we still can deliver good health care system to our patients. The Patients' Bill of Rights will do that.

This is the only true bill because it has the protections in there for our health care workers, our nurses, our doctors. It is certainly going to make our HMOs stand up and take their responsibility and if they do their job right they will be fine. It is a shame, it is a shame that we have had to come this far to do legislation in this great House that we work in but sometimes that is why we are here, to make them, whether it is the HMOs, whether it is the auto manufacturers, or different corporations, to do the right thing.

The Patients' Bill of Rights does the right thing for the American people.

Mrs. CHRISTENSEN. As I said earlier, too, this is something that the people of America have clearly said they want. All of the provisions that are included in the Ganske-Dingell-Norwood bill are direct responses to what the people of this country have said they want to see in their health care system. I agree that this is an important beginning, but it is a beginning because we do have to go out and provide insurance coverage because there are 43 or so million people that will not even be touched by what we do here.

This is an important part of making sure that health care and quality health care is accessible to the people who are covered within this system and accessible when they need it. We do have other issues.

Mrs. CAPPS. Yes.

Mrs. CHRISTENSEN. When one talks about containing costs as the driving force or making profits on the other end, the driving factor for pursuing managed care, a lot of people are left out for whom it is very expensive to provide health care. They are largely the poor people who have not had access to health care for many years; people of color in this country who have not had access to health care; people in our rural areas. So we have to end this two-tiered system that our colleague just referred to of health care in this country and make sure that that quality health care is equally accessible to all of our citizens and residents in this Nation.

Mrs. CAPPS. I want to make sure, just as we draw this to a close, I have a pledge I want to make with my two colleagues, but I want to make sure that we leave on the record the answers to a couple of myths that are out there. One is on the part of employers that where there is this fear that if we

do this Patients' Bill of Rights that the employer who provides the insurance will be liable, that the lawsuit will include them. We have been assured that they are in the business of providing insurance plans for their employees, who are also occasionally patients. Then if their employees choose that plan and they give them often that range of plans to choose from that, then they are not themselves liable when the insurance company itself makes decisions which are not in the patient's best interest.

The insurance company is the one who must be held accountable, not the employer in that case.

The other myth that is out there is, and I have heard it on the floor, I have heard it among some of our colleagues who say it is just going to drive up the cost of health care insurance, and there are so many particularly small businesses who are struggling now to provide it, they want to provide it but that is another topic that we are going to address another time about making health care available in a variety of ways, not just putting it on the backs of mostly small business providers.

The cost of the premiums in Texas, in the plan that this Patients' Bill of Rights, this Dingell-Ganske plan is based on, that the premiums went up, I think they characterized it as a Big Mac a month, or actually just a very small amount of an increase in a premium that most constituents, most employees, would be happy to make if they knew that they had the benefits that we have been outlining as part of this Ganske-Dingell Patient Protection Act.

So we want to make sure that it is clear that we do in this country hold people accountable when they make mistakes. Doctors, health care providers, all of us had insurance policies because we knew that we could make a mistake and we wanted our patients to have recourse, and health care providers are very knowledgeable about the need to have that.

On the other hand, HMOs, and insurance companies like HMOs, are the only sector of our economy now that is not able to be touched by accountability. That is clearly out of focus for our country's pattern of holding accountability. This bill will correct that. It only holds those insurance companies liable when they practice medicine. If one practices medicine, they are held liable. If an insurance company chooses to practice medicine, they will be held liable as well. That is what this is all about.

Within the Patients' Bill of Rights, access to emergency care, access to obgyn without having to go through a gateway, these are not debatable. These are understood as needed reforms within managed care today, and we need to embrace all of it as a package, which is really about common sense.

Mrs. MCCARTHY of New York. I would just like to follow up. When the

gentlewoman was talking about our small businesses, I was on that committee for 4 years and we certainly all know how we have all fought to protect our small businesses. That is the engine that is driving this country, by the way. Our small businesses are doing well. The gentleman from Georgia (Mr. NORWOOD), certainly the gentleman from Michigan (Mr. DINGELL), at that time even when I had concerns about is this going to hurt our small businesses, and that is why the language is in our bill. If they want to clarify it a little bit more, we can probably work that out. We are not out to hurt our small businesses because that is not going to help any of us.

As the gentlewoman said, we have to make sure that our small businesses can open up and offer health care insurance to all their employees so let us take that myth out of there. The gentlewoman is absolutely right on that. The protection that is in the Patients' Bill of Rights, especially with the gentleman from Georgia (Mr. NORWOOD), if anybody knows the gentleman from Georgia (Mr. NORWOOD), believe me he is going to protect small businesses. So that is a myth.

Unfortunately, there is too much politics dealing with this health care issue and we should take the politics out of this issue and certainly do the right thing for the American people. That is what has to be done.

Mrs. CAPPS. I so appreciate my colleagues being here. I think we are almost out of time, but I will yield further to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for some comments.

Mrs. CHRISTENSEN. I am glad that the gentlewoman made the clarification about the employers not being liable, the fact that the premiums and lawsuits do not rise, because we have that experience. It is also important to point out that this is a real bipartisan bill. There has been a lot of work and a lot of compromise to bring this bill forward that addresses issues and has addressed some of the concerns of people on both sides of the aisle. This is a bipartisan effort to address something that has been of great concern to the American people.

Mrs. CAPPS. Mr. Speaker, we will now close and remind our colleagues that we did pass this very bill before in this House. So let us just do the right thing and pass it again. This is my pledge that I want to make to my dear colleagues who have joined us here this evening, the gentlewoman from New York (Mrs. MCCARTHY), and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), let us pass the Patients' Bill of Rights and then let us gather on the floor to discuss some other needs in health care, such as the nurse and professional shortage, such as those without any access to health care because we still have a long way to go. We are willing and we are prepared, we are going to be here until we can address each of these issues. So I will join my

colleagues again on the floor at a further time.

□ 2115

ENERGY CRISIS

The SPEAKER pro tempore (Mr. KENNEDY of Minnesota). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. TANCREDI) is recognized for 60 minutes.

Mr. TANCREDI. Mr. Speaker, tonight, I want to talk about a couple of subjects.

First of all, I cannot help but reflect upon some of the prior speakers and what they have talked about, especially in terms of our energy crisis. I will only spend a couple of minutes on that, because I addressed it a couple of times in the past also.

It is undeniably true we have an energy crisis in the United States. It is undeniably true that gas prices are rising, that blackouts, rolling brownouts, all kinds of things are occurring throughout the United States, but especially in California and on the West Coast.

We spend a great deal of time in this body debating as to exactly why that has occurred, and, in fact, there are a number of reasons, of course. They deal mostly with supply problems. We just do not have enough energy. We do not produce enough.

AMERICA'S POPULATION GROWING AT A RAPID RATE DUE TO IMMIGRATION, LEGAL OR ILLEGAL

Mr. TANCREDI. There is a basic problem and there is something below even all of that, which we must identify and talk about from time to time, and that is the fact that America's population is growing at a rapid rate.

That population growth is a result, not just of the birth rate of the people who have lived in the United States for some period of time, it is the result that over 50 percent of that population growth in the last decade is a result of immigration into the United States, both legal and illegal.

California is a prime example of the problem. It has an enormous population. It has enormous growth in the population primarily as a result of immigration. The United States Congress has a responsibility. It is to establish immigration standards, immigration quotas.

We are the only body that can do that. No State can do it. California cannot determine how many people it will let in. It has to deal with however many people come in, and in dealing with it, it has to build more power plants, whether they like it or not.

It has to encourage conservation, and it has to, in fact, tap the natural resources available to it. We will be doing that throughout this Nation as a result of the dramatic increase in population brought about primarily by immigration both legal and illegal.

No one likes to talk about this. It is an issue that oftentimes evokes a lot of

emotion on both sides of the issue. There are people who would suggest that even to bring it up is an indication of some sort of ulterior motive that is akin to and always likened to racism.

I have said here on the floor many times, I will repeat it tonight. It is not where we come from, it is the number of people who come. In fact, we must deal with it.

We may not like having to deal with it, but we may not like the debate that will ensue as a result of any change in our immigration policy, but it must be done. It is for the good of the country, and it has absolutely nothing to do, as far as I am concerned, anyway, with racial-related issues. It is a matter of quality of life. It is a matter of energy resources that we have been talking about here.

As I sat here and prepared my remarks, I listened to others speak. The gentleman from Colorado (Mr. MCINNIS) talked for an hour about the energy crisis. Although, he is absolutely correct in all of the things he said in terms of why we are here, I must admit to the gentleman that the one thing that he left out, which I think is extremely important, is the fact that the reason we have this crisis and the reason it will grow throughout the United States is because of the number of people we have in the country and the number of people coming in.

A little over, I will repeat, a little over 50 percent of the growth of this Nation in the last decade was a result of immigration, legal and illegal; 50 percent of the cars on the road; 50 percent of the houses that are popping up in neighborhoods all over the country and what was at one time a pristine landscape; 50 percent of the problem you have getting in to national parks, any of the other kinds of issues come about as a result of population pressures are, in fact, a direct result of this immigration issue.

Mr. Speaker, I cannot come before the House tonight without bringing that particular issue to the attention of the Speaker and to those who may be listening.

LIMIT GOVERNMENT FUNDING RELATING TO ART

Mr. TANCREDI. Mr. Speaker, but that was not the original intent, that was not the original purpose I asked for this time period to address the House.

A short time ago, Mr. Speaker, in Colorado, there was a rock star, "an artist" of some sort, and I put the term "artist" in quotation marks, by the name of Marilyn Manson.

I admit I do not have any of this person's, I was going to say gentleman, but I am really not positive what he or she or it is, I am just saying, I do not have their particular records in my cabinet. I had read something about this person's particular "artistic" accomplishments.

I had a call one day, this was about 2 weeks ago or 3 weeks ago, I guess, from

a gentleman in Colorado who was concerned about the fact that this person Mr. Manson, Mrs. Manson, Ms. Manson, whatever, was coming in, and he was concerned. Because in the past, this particular rock idol had offered to come in and do some sort of concert for the people who were responsible for the deaths of the children at Columbine High School.

Hear me, Marilyn Manson would come in to do a concert for the people who killed them. There was concern about this kind of individual coming in to Colorado again and spewing his filth. So this person called our office here. The gentleman that called, I believe, was Jason Janz.

Mr. Janz said, look, we are trying to organize some sort of boycott. We think that people should just avoid going to hear this particular performer. He said, can we use your name in our, ad or whatever they were going to do, and I cannot remember now whether it was as a person who would support our efforts or not.

I said to Mr. Janz, well, yes, you can. I can certainly understand why you would be concerned. I do not think people should go myself; whether they do or not is, of course, their own decision to make.

Anyway, Mr. Janz used my name in some sort of advertising or publication, I do not know what it was, saying that these people have also suggested that people should not go to this particular concert.

We had a storm of reaction to that. There was a lot of protests, a lot of people called our office here and in Colorado, in Littleton and said, how dare you? How dare you, a Member of Congress, try to censor this particular performer?

I was, in a way, shocked, because, of course, censorship is a term that can be defined. It is defined in the dictionary. It is pretty clear what censorship is. It means someone preventing someone from expressing themselves.

Mr. Speaker, I tried to explain to the people who called my office that, in fact, I really was not trying to censor this particular "artist"; that I really could not care less what he or she or it did. It was just that when I was asked whether people should participate in this kind of garbage, I would say, no, they should not. That is my opinion.

Their point of view was that I should be censored; that I should not be allowed to say such a thing; that I should not be allowed to criticize this particular performer or anybody else, I suppose, that they felt was a particularly important personage in the entertainment world.

This whole thing was a fascinating sort of phenomenon, because eventually Manson came to Colorado. It was just last week or so, did his or her thing. I am sure there was a large crowd and everything was, you know, just pretty fine.

I do not know if people enjoyed it or not. I do not know, and I truly do not

care. But the debate surrounding this whole event was characterized, I think, perfectly in an article that was in the Rocky Mountain News last week.

I am going to read it here. It is relatively short. It was written by a friend of mine, his name is Mike Rosen. He does a daily radio show in Colorado and writes a weekly column for the Rocky Mountain News.

And it goes as follows: "Greet Manson with due scorn," that is the title. It says "personally, I think the rank demagoguery of Senate Majority Leader Tom Daschle is far more dangerous to the well-being of our republic than the sordid rantings of shock rocker Marilyn Manson. But the thing I'd do is silence either of them."

If you're going to allow free speech, you must take the risk that someone might listen. While incitement-to-riot, slander, and yelling 'fire' in a crowded theater are not tolerated in our society, the expression of ideas that are merely offensive is.

If we voted on who could speak and who couldn't, Billy Graham would probably win and Marilyn Mason probably would lose. But we don't put it to a vote because this isn't a democracy. Our constitutional republic protects the rights of individuals, even unpopular ones.

Actually, Manson's June 21 Denver appearance at Ozzfest is not really a First Amendment issue. The First Amendment restricts government's abridgement of free speech.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all Members that the rules of the House prohibit characterization of Members of the Senate even though not their own remarks.

Mr. TANCREDO. "The First Amendment restricts government's abridgement of free speech. But government hasn't threatened to muzzle Manson. He will not be barred from performing by any government officials."

The opposition to his performance here has come from private groups led by Baptist youth minister Jason Janz, and others, employing moral persuasion, as is their right, to discourage and disparage Manson's act.

I'm no fan of Manson, or, for that matter, his inspirational namesake Charles Manson. I don't like his music, his lyrics or his message. I've heard and read enough of it, dutifully, to get the point. This from his newest CD 'Antichrist Superstar.' I will bury God in my warm spit. I went to God just to see. And I was looking at me. When I'm God everyone dies." Very enlightening.

□ 2130

"I find Manson neither thought-provoking nor profound. He offers mostly sophomoric dribble (not that the work of Dion and the Belmonts, from my era, was exactly Shakespeare, but it was good to dance to and at least it wasn't destructive.) To be sure, there's demand for Manson's kind of bilge from

troubled, confused, angry, defiant, depressed, macabre, antisocial and sociopathic adolescent and arrested-adolescent audiences. And when you're high on drugs, gibberish can pass for wisdom."

"If it weren't for Manson playing this role, someone else would, and others do. He claims to be an artist, crafting a poetic, philosophical message. More likely, he's just another crass entertainment opportunist capitalizing on a market niche. You might say the same of Alice Cooper, but Cooper has always done his thing with a wink, not to be taken seriously. It was obvious shtick. Heck, Cooper's a Republican, a big baseball fan, and a 4-handicap golfer. Compared to Manson, Alice Cooper is Dr. Laura. In his heyday, Cooper sold the bizarre; Manson spews the depraved. (And I'll throw in my psychological diagnosis of Manson: he's screwed up in the head, too.)"

"Is Manson's influence on troubled and impressionable young minds potentially destructive? I imagine it is for some. While for others, listening to Manson may be benign, providing an outlet for emotional venting that might substitute for acts of physical destructiveness. Teen-agers are attracted to Manson as an act of rebellion against conventional society precisely because he appalls their parents. I have no remedy for this. It's one of the tradeoffs we make in a free society."

"It's not a question of whether Manson should be condemned or allowed to perform. Of course, both of these things should happen. Manson debases our values, culture and civil conventions. Jason Janz's criticism of him is wholly appropriate. Someone needs to say that. Our indifference would be more disturbing. To most who attend, Ozzfest will be little more than a fun summer concert featuring a variety of performers. The Manson acolytes there will be in the minority. And while they snigger at the establishment's attack on their idol, it still serves a purpose. They may understand when they grow up."

Again, that is Mike Rosen in the Rocky Mountain News.

Now, this leads to another issue and even a much bigger issue than this particular event in Denver Colorado in last week. This leads us to a debate we were having on the floor of the House here last week. It was a debate on whether or not we should be funding the National Endowment for the Arts and Humanities.

It was fascinating from a number of standpoints. We have done this every year. The debate occurs every single year. Much of the same objections are heard over and over again as to whether or not government funds should be used to support "art".

Now, what if this had happened in Colorado, everything that I just described, and this particular event had been paid for entirely with tax dollars? Would there not have been a different kind of debate? Would we not have

been able to enter into the discussion an argument that, although, certainly, this person, Manson, should be allowed to perform, no one, certainly I would never prohibit him from doing his thing by law. But the question remains is whether or not someone should be forced to pay for it through the taking away of their tax dollars, providing it for this experience.

Certainly there would have been an outcry. Certainly people would have said absolutely not. You know, I do not care whether this person does its thing on the stage and spews forth its bilge, I do not care about that. If people want to do it, want to see it, that is their business, and I certainly agree. But making me pay for it through my tax dollars, that is something else entirely.

Now, that would have been an interesting debate, and I wonder how it would have come out. I wonder if the City of Denver, I wonder if the mayor of the City of Denver had agreed to something like that, had put tax dollars into it, I wonder whether or not the mayor would not be in political trouble the next election.

Would not people in the City say, how could you possibly make me pay for something like this? I think it is horrible. Or even, I do not have an opinion on it, I just have absolutely no desire to fund this particular expression of this particular "artist".

Well, I think that that would be a legitimate argument. Do my colleagues not, Mr. Speaker? I think that, in fact, that would be a legitimate debate had we paid for that with tax dollars. I think there would have been significant political ramifications and repercussions to such a decision made by the political leaders in Denver.

But it did not happen that way. It was totally voluntary. People went, paid their price at the door, and went in; and I say, of course, that is fine. They can do what they want to do. If you ask me whether someone should do it, I would tell you no. It does not matter. I would never stop anyone from either going to see this person or, on the other hand, I would never try to stop this person from actually getting on stage and doing whatever it is it does.

So the question, then, comes as to how we can, every single year, take money from Americans, hard-working Americans, many of whom have to make decisions about, you know, if they are going to pay the rent this month or if they are going to pay their gas bill.

How can we take money from them to support the, quote, artistic endeavors of others of a similar, well no matter what. No matter if there was absolutely no argument as to the value, quote, value of the art. It is still absolutely wrong for any of us here to make that sort of elitist decision for all members of society, that we would take away their money and give it to a particular kind of art or a particular kind of artist. How can we justify that?

I guess, to a certain extent, I am going to have to actually talk about

what we have been funding over these years. I almost hate to say it, but I wish we could put up here one of these signs that say "be careful, the following may not be suitable for viewing by young people" or whatever, because it is certainly some of the nastiest sort of thing. I will try to avoid being too incredibly graphic, but I guess it is pretty hard to suggest that this is not appropriate for us to discuss here since we paid for it, since we took money from Americans, from hard-working citizens and paid for this stuff that I am going to tell my colleagues about.

Let us start with 1998, the National Endowment for the Arts was criticized for funding this New York theater which staged the play "Corpus Christi", a blasphemous play depicting Jesus having sexual relations with his apostles.

By the way, a great deal of what has happened here, a great deal of what the NEA chooses support has a decidedly homo-erotic, anti-Christian, and certainly not just anti-Christian, but a hatred of Christianity, and the most bizarre kind of sexual connotation, not just connotation, but aspects that you can imagine. That really a lot of this stuff that they choose to do. Okay.

One would have thought that the NEA might refrain from funding the Manhattan Theater Club ever again given the theater's decision to present "Corpus Christi". Not so. The very next year, the theater was awarded another grant of \$37,000. This year, the theater received, not one, but two separate grants, each for \$50,000.

In 1996 and 1997, the NEA received sharp rebukes for funding this group, the Women Make Movies, that is what it is called, by the gentleman from Michigan (Mr. HOEKSTRA), chairman of the Committee on Education and the Workforce Subcommittee on Oversight and Investigations.

At the time, the gentleman from Michigan (Mr. HOEKSTRA) noted that the NEA gave over more than \$100,000 over a 3-year period to Women Make Movies, that is the name of this organization, which distributed numerous pornographic films such as "Sex Fish", "Watermelon Woman", and "Blood Sisters". These films included depictions of explicit lesbian pornography, oral sex, and sadomasochism.

In 1997, the American Family Association distributed to most Members of Congress clips of some of these and other pornographic films distributed by Women Make Movies.

Criticism of the NEA for funding a group that distributes pornographic works was dismissed by the agency which continue to fund Women Make Movies as late as 1999, giving two grants, one for \$12,000, one for \$30,000. The Women Makes Movies continues to distribute hard core pornography.

Then there is the Woolly Mammoth Theater Company, a Washington, D.C. theater, a frequent recipient of NEA money, generated controversy in the past for NEA when it staged Tim Mil-

ler's one-man performance titled "My Queer Body". This play describes what it is like to have sex with another man, climbs into the lap of a spectator. I do not even want to read this.

Shrugging off the controversy this year, the NEA gave the theater \$28,000. Woolly Mammoth's 2000 season, this was last year actually, will include the production "Preaching to the Perverted", written and performed by Holly Hughes, who herself has been the cause of controversy.

Hughes sued the U.S. Government for refusing to fund her indecent work and lost. The Supreme Court ruling was that NEA was not obliged to fund pornography. Despite this Court's ruling, the NEA is still choosing to pay for Holly Hughes' offensive work through its support of Woolly Mammoth. In the Woolly Mammoth's Internet catalog.

"Preaching to the Perverted" is described as follows: "If you loved the solo extravaganzas of Tim Miller", the fellow I just mentioned, "you won't want to miss this unique and irreverent evening of legal and sexual politics."

Then there is the Whitney Museum of American Art. It has been a regular recipient of NEA funds for over the years and several times provided fodder for the critics. This in recent years included a work by Joel-Peter Witkin titled "Maquette for Crucifix", a naked Jesus surrounded by sadomasochistic obscene imagery and many grotesque portrayals of corpses and body parts.

Another Whitney exhibit was a film by Suzie Silver titled "A Spy". It depicts Jesus Christ as woman standing naked with breasts exposed.

Again, this is hard it even go through, it is certainly hard to describe. But we paid for it. We appropriated money in this House. We took money from citizens in this country and paid for this. So it is only right that we should be forced to have to hear what we paid for as grotesque as it is. It is hard for me to read it. I am sure it is hard for many people to hear it. I do not like having to do it. But, in fact, you paid for it, America. You might as well understand what you bought.

Incredibly, Whitney also included "Piss Christ", Andres Serrano's photograph of a crucifix in a jar of urine, the very same work which began the NEA controversy in 1989, as well as a film by porn star Annie Sprinkle entitled "The Sluts and Goddesses Video Workshop or How to be a Sex Goddess in 101 Easy Steps", on and on and on.

Walker Art Center, a performance at this Minneapolis theater and NEA recipient outraged Senator BYRD even, Democrat from West Virginia, and many other Members of Congress.

To make a statement about AIDS, artist Ron Athey, who was HIV positive pierced his body with needles, cut designs into the back of another man, blotted the man's blood with paper towels and set the towels over the audience on a clothes line. Then NEA

chair Jane Alexander defended the performance, and the Walker Arts Center has continued to receive NEA funds for several years. This year's take, this was a couple years ago, this year's take for the avant-garde center is \$70,000.

The NEA was criticized in 1997 for funding the Museum of Contemporary Art in New York because of the work of Carollee Schneeman, an artist credited with inspiring Miss Sprinkle whose pornographic funding have caused a lot of problems for the NEA also. I hesitate to even go into what that one was about.

Franklin Furnace, New York. This New York theater frequently receives NEA funds. The theater's performance often promotes homosexuality and blast traditional morality. Its year 2000 grant, \$10,000.

The Theater for New York City, the Catholic League for Religious and Civil Rights brought this New York's theater to national attention recently because of its anti-Catholic bigotry. The theater staged the play "The Pope and the Witch", depicting the Pope called John Paul, II, as a heroin-addicted paranoid advocating birth control and the legalization of drugs. The theater received a grant in 1997. The Americans paid for this, \$30,000 in 1997 and \$12,000 in the year 2000.

Really, I have just pages and pages of this kind of thing. I will enter them into the RECORD, but I will not go on with that in description here audibly tonight. It is just too revolting even for me to deal with.

But my point is this, that all of this I consider to be absolute garbage. That is my opinion. I cannot imagine anyone wanting to see it. I cannot certainly imagine wanting to participate in it. I certainly cannot believe that anyone would have the audacity to suggest that we have to take money from people who have the same feeling as I do about this and give it to these performers in order for there to be a good art thriving in America.

□ 2145

It is ridiculous. It is idiotic.

We have had an interesting discussion, as I say, over the whole issue as it came through the Congress of the United States, and there are many aspects of this that I think need to be discussed. Now, by the way, I suppose I should mention, that those of us who were opposed to funding for National Endowment for the Arts failed in our attempt to reduce the funding of \$150 million. But it is not just this kind of pornographic trash that it funds with which I take exception. I believe it is absolutely wrong for us to be making a decision in this body as to what is appropriate, what is good art or what is good television programming or radio. I refer now, of course, to National Public Radio, National Public Television, which we again take money from everyone in America and we fund.

Now, I happen to listen to National Public Radio. I enjoy many, many of

its programs. My point is, however, the idea that my taste in either television or radio is something that should be the standard for the Nation. Because I happen to enjoy National Public Radio I will tax everyone in this country to help support it. Is that not somewhat bizarre?

Let me read from the Constitutional Convention in Philadelphia August 18, 1787. This is incredibly amazing and profound in a way because, as we see, the Founding Fathers dealt with all the problems that we confront every single day and they really had an insight that bears reflecting upon. 1787, August 18. Charles Pinckney of South Carolina rose to urge that Congress be authorized to "establish seminaries for the promotion of literature and the arts and sciences." Modest proposal; right? He suggested that the Congress of the United States be authorized to establish seminaries for the promotion of literature and the arts and of science.

Now, remember, seminaries had a different connotation in this particular time period. We are not talking about necessarily religious institutions. In this case he was talking about intellectual pursuits, educational institutions solely. His proposal was immediately voted down. In the words of one delegate, the only legitimate role for government in promoting culture and the arts was "the granting of patents, i.e. protecting the rights of authors and artists to make money from their creations." That, he said, was the only legitimate role for government in promoting culture and the arts.

The framers treasured books and music, but they treasured limited government far more. A federally approved artist was as unthinkable to them as a federally approved church or newspaper. This is why the Constitution does not so much as have a hint at subsidizing artists or cultural organizations. It is why Americans have always been skeptical about the entanglement of art and State. And it is why so many artists have snorted at the notion that art depends upon the patronage of a Washington elite.

And that is a very good way of portraying what happens here. It is incredibly elitist for us to say we know in this body, the 435 Members of the House, the 100 Members of the Senate and the President of the United States, we know, at least a majority of us know, what is the best kind of art for the American citizens to observe or participate in. Incredibly elitist. Incredibly elitist for us to suggest that the particular television programming that we believe to be uplifting or stimulating or whatever is appropriate enough to tax everybody to support.

What gives us this incredible attitude? It is the fact, of course, that we make many decisions here all the time that tend to make us all feel, I suppose, pretty omnipotent and omniscient, because we know everything and we have power over everything and, naturally,

we should be able to determine what is good art; what is good television; right?

The argument for television especially is the one that confounds me. Every year people come into my office and talk about the need to support, publicly support, public television. We need to take tax dollars away from people and do that. And I always suggest to them that maybe, maybe 20 years ago they could have made an argument for some sort of alternative television programming, because there were only three major broadcasting systems and relatively little choice, I suppose, among those three different broadcasting systems. They could have perhaps made the point, well, there is just a need for a different kind of television programming and no one is going to produce it, so, therefore, let us go ahead and take tax dollars away from people and provide it.

They could have made that point. I would not have agreed with them, but it would have been a much more logical position to take than coming in here today, today, to this House, in this year of 2001, and saying there is not enough diversity on television; we need to take money from everybody in America to fund my brand of television because it is better, it is better for people, it is more intellectual, more high-brow, it is good for people to have this available to them, when there is, what, 150, or heaven knows how many actual stations there are out there with cable television. I certainly have lost count myself. All I know is there is no one, I believe, no one that can argue that there is not diversity in programming on television today. And yet our particular brand, our particular idea of what good television is is what we say in this body everyone is going to pay for. Again, it seems a bit peculiar to me.

I actually did a program in Colorado on public television, a sort of talking head show. I used to do it every Friday, and I enjoyed it. And every year they had a period of time that the station would devote to fund-raising, and all the participants and everybody that wanted to, I suppose, could come on for an hour or two and stand up in front of people and ask for money, ask for support for the station. I called it a beg-a-thon. And I would do it. Every single year I would go on and say, if you want to support this, if you think that we in fact are doing something good enough in terms of television that you believe it should be continued, then I encourage you to get out your checkbook and send this station money. And I am more than willing to do that. I did that, as I say, every single year, because that is exactly the way "public television" should be funded, by donations.

They then would come to me, the same station would come to me as a Member of Congress and say, how could you not then vote for funding for our station when you were on it? And I

would always say, look, if the program I was on was not worth it, if we could not get people to watch that program and we could get them to contribute, then of course it was not good programming and I probably should have been kicked off and you should have found somebody else.

But the idea that I would come here to the Congress and vote for money to make sure that that particular station stayed on the air is crazy, any more than I would vote for money for any other particular station to stay on the air. Again, it is certainly not because I am particularly opposed to the kind of programming they have. It is maybe fine. Some of it is fine, some of it is lousy from my point of view. But that does not matter. It is just my opinion. But it is absolutely wrong for me to come to this body and vote to force everyone in this country to support my brand of programming.

Dr. Robert Samuelson said some time ago that the funding of cultural agencies by the Federal Government is highbrow pork barrel, and I certainly agree. We are taking from the poor to subsidize the rich. It is the reverse Robin Hood theory here. In fact, most of the programming on these stations, even a lot of the "art" of the NEA has absolutely no appeal whatsoever to the bulk of America, the majority of Americans, certainly Americans of low income. They are not really interested by and large in that kind of entertainment. Again, if they are, that is fine. They can make their own decisions about it, but it is incredible to me that we can do this; that we can take money from them and provide support for materials and for programming that is only really enjoyed, I say only, but primarily enjoyed by a different group of people, and most of the time people more well off.

There is also the issue of the corruption of the artists and scholars that we fund. It is I think absolutely true, no one I think who has been around here for any length of time disagrees with the fact that government funding of anything involves government control. That insight of course is part of our folk wisdom. He who pays the piper calls the tune, as they say. And it is quite true. We never give out a dollar here in this body without also saying how it should be spent. Those are the strings we attach to it. And when we do that for the "arts," it has a corrupting influence on it. Artists and want-to-be artists begin to gravitate toward what they think the government is going to fund and find themselves sort of chasing the government dollar.

The influence of government funding of the arts is a negative one and a corrupting one. The politicization of whatever the Federal cultural agencies touch was driven home by Richard Goldstein, a supporter of the National Endowment for the Humanities himself. But he pointed out that "the NEH has a ripple effect on university hiring and tenure, and on the kinds of research undertaken by scholars seeking

support. Its chairman shapes the bounds of that support. In a broad sense he sets standards that affect the tenor of textbooks and the content of curriculum. Though no chairman of the NEH can single-handedly direct the course of American education, he can nurture the nascent trends and take advantage of informal opportunities to signal department heads and deans. He can 'persuade' with the cudgel of Federal funding out of sight but hardly out of mind."

Then, finally, every time we debate this issue we are confronted by people who will say that we must do this, we must in fact provide money for the arts community, the National Endowment for the Arts and Humanities, because of the effect that the arts have on our spirit, the soul, the uplifting nature of the arts; that to provide public funding for this is a good because of the way it in fact changes the culture, and they would suggest, for the positive. Well, what if, Mr. Speaker, I came before the body and suggested that there was another kind of experience that does exactly that; that provides a tremendous amount of benefit to the Nation; that does amazing things for the soul, uplifting in nature; that it can change a person's attitude about life; that it can motivate you to do great things, all these things I have heard on the floor as to the reason why we have to fund the arts?

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Mr. Speaker, I suggest that there is another argument I could make using exactly the same logic. What if I were to come before the body and say, I know something that we should be doing that does all of the things I have just said, is an incredible influence on our lives, that provides an outlet for emotional needs of millions of people, and it is called religion and I am going to ask this body to appropriate \$150 million this year for religion.

Now, the first thing that someone would say is we cannot do this because there is this wall of separation that exists in the minds of many, but nowhere in the Constitution, by the way, that separates church and State. But the real reason why we cannot do it and the reason I would never suggest it because the minute we decide to fund religion in this body, we will then begin to decide whose religion, what brand of religion. What about this particular denomination? Why should they not be funded as opposed to that denomination?

Someone somewhere would have to make a decision. So we would establish an Endowment for Religion, and we would appoint some people to it. We would say we will give them the money because Congress does not want to get into the battle about which religion to fund. We will give \$150 million to the National Endowment for Religion, and they will make the decision because they are the experts. They know what is best. If they give it all to the Bap-

tists, that is fine. If they split it up with the Jews, the Catholics, the Presbyterians, whatever, it is their decision to make. It is their \$150 million. They will make the decision. How many Members in this body would agree with such a thing? No one. I suggest that we would not get very many votes for such a proposal. And rightly so.

It is not our place because the minute that we start doing that, we are automatically discriminating if we pick one over another, which must be done. There is absolutely no difference, Mr. Speaker, none whatsoever, in the funding of the arts and the funding of religion. Each one of those things has its particular brand. It appeals to certain individuals and not others. Somebody has to make a decision about which one of these things gets funded, and then we will come to the House and hold up a list of things that has been funded by that organization and some people will be outraged by it, as I imagine there were some tonight as I was reading through the list of things that we have funded that the government has paid for. Some people will listen and say that is great stuff. I wish a billion dollars was put into it.

What happens is there is discrimination in this because every time somebody gets one, every one artist gets funded, some artist does not, and that means somebody is making a decision about which is better. I suggest that is an impossible decision to make for everyone. It is absolutely appropriate for me to do it for myself; it is not appropriate for me to do it for all of my constituents.

Mr. Speaker, the hypocrisy that rears its head here, certainly daily, but on this particular occasion when we debate the NEA, the National Endowment for the Arts, public broadcasting and all of the rest, this hypocrisy is overwhelming. It is so stark.

Mr. Speaker, I suggest that we are undeniably in the middle of a culture war. We have heard that term many times. It is a war of competing ideas and world views. On one side we have people who believe in living by a set of divinely moral absolutes; or the very least, they believe that following such a moral code represents the best way to avoid chaos and instability.

On the other side, we have people who insist that morality is a moral decision and any attempt to enforce it is viewed as oppression. That war is a real one which is carried out every single day in the halls of our schools, around the watercooler of our businesses, in the newspapers of the Nation, on television. In every form of communication, the culture war is ongoing. There is a battle for the soul, for the mind, for the actual personality, if you will, of the Nation.

Mr. Speaker, I think that is pretty much accepted as being true. We know that there are these competing sets of values out there trying to grab us and get us on their side, whatever that might be.

Now, I happen to believe completely that there is such a thing as good art, good music. I believe that it can be all of the things that people say. I believe we can be inspired by it. We can be motivated by art to do wonderful things. But I also suggest, Mr. Speaker, that if there is such a thing as good art, good music, good literature, then there is such a thing as bad art, bad music and bad literature. And it has the opposite effect of the good art. I believe that is true. That is my personal observation, my personal belief.

I choose not to impose that belief on anyone by law, but I will make the case when I am allowed here on the House floor, allowed to debate this issue in any public forum, I will talk about the fact that I believe we are in the midst of a culture war and there are competing sides in that war that are actually grappling for the soul of the Nation. I will try my best to defend what I believe to be the good side as opposed to the bad side, but that is my decision to make. And it rests on my ability to convince my friends or relatives, as well as it does with any one of us here as to who is right and who is wrong.

Even as a Member of the Congress of the United States, it is not in my authority to force anyone out there to agree with it by the power that is vested in me as a Member of this House to vote for a tax to enforce my particular view of who should be helped in those culture wars. We have to do it through the power of persuasion.

This place, Mr. Speaker, is the place in which the battle occurs oftentimes, maybe even daily. Because this is the place in which we have determined that a great debate should go on about the nature of our society, about the kind of people we are. It is the place of ideas. It is certainly the free marketplace of ideas. And we are allowed to come before the body as I have tonight to express our opinions. I hope that we have to a certain extent, anyway, even a small extent tonight, made a case for allowing that debate to occur without the influence of the power of government to tax and help one side in it as opposed to another.

Let us simply talk about it here, but, Mr. Speaker, I suggest to you that there again is no more hypocritical thing that we do here in the Congress of the United States than to take money away from people in support of a particular brand of art or music and then argue about whether or not that should happen with regard to religion.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. THOMAS (at the request of Mr. ARMEY) for today after 2:00 p.m. on account of attending a funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. SOLIS) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. MORAN of Virginia, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

Mrs. JONES of Ohio, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

Mr. SANDERS, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, today.

Mr. JEFFERSON, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

(The following Members (at the request of Mr. MCINNIS) to revise and extend their remarks and include extraneous material:)

Mr. JONES of North Carolina, for 5 minutes, today.

Mr. HORN, for 5 minutes, today.

Mr. PETERSON of Pennsylvania, for 5 minutes, today.

Mr. HUNTER, for 5 minutes, today.

ADJOURNMENT

Mr. TANCREDO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 10 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, June 28, 2001, at 9 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2689. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Bifenazate; Pesticide Tolerances for Emergency Exemptions [OPP-301143; FRL-6788-5] (RIN: 2070-AB78) received June 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2690. A letter from the Deputy Director National Institute on Disability and Rehabilitation Research, Department of Education, transmitting Final Priority—Assistive Technology Outcomes and Impacts, Assistive Technology Research Projects for Individuals with Cognitive Disabilities, Resource Center for Community-based Research on Technology for Independence, and Community-based Research Projects on Technology for Independence, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

2691. A letter from the Regulations Coordinator, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's final rule—Medicaid Program; Medicaid Managed Care: Further Delay of Effective Date (RIN:

0938-AI70) received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2692. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—NESHAP: Standards for Hazardous Air Pollutants for Hazardous Waste Combustors [FRL-7001-8] received June 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2693. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities and National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities [AD-FRL-6997-9] (RIN: 2060-AG91) received June 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2694. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Mountain View, Arkansas) [MM Docket No. 01-45; RM-9997] received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2695. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Hewitt, Texas) [MM Docket No. 01-24; RM-10052] received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2696. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Linden, White Oak, Lufkin, Corrigan, Mount Enterprise, and Pineland, Texas, and Zwolle, Louisiana) [MM Docket No. 00-228; RM-9991] received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2697. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Exmore and Cheriton, Virginia, and Fruitland, Maryland) [MM Docket No. 99-347; RM-9751, RM-9761] received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2698. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Creation of a Low Power Radio Service [MM Docket No. 99-25; RM-9208, RM-9242] received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2699. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List—received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2700. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2701. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2702. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2703. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2704. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

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2709. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2710. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2711. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2712. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2713. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2714. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2715. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

Act of 1998; to the Committee on Government Reform.

2716. A letter from the Chief Operating Officer/President, Financing Corporation, transmitting the Financing Corporation's Statement of Internal Controls and the 2000 Audited Financial Statements; to the Committee on Government Reform.

2717. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Grants to States for Construction and Acquisition of State Home Facilities (RIN: 2900-AJ43) received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2718. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Withdrawal of Notice of Federal Tax Lien in Certain Circumstances [TD 8951] (RIN: 1545-AV00) received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. House Joint Resolution 36. Resolution proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States (Rept. 107-115). Referred to the House Calendar.

Mr. BONILLA: Committee on Appropriations. H.R. 2330. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107-116). Referred to the Committee of the Whole House on the State of the Union.

Ms. PRYCE of Ohio: Committee on Rules, House Resolution 182. Resolution providing for consideration of a concurrent resolution providing for adjournment of the House and Senate for the Independence Day district work period (Rept. 107-117). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules, House Resolution 183. Resolution providing for consideration of the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107-118). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SENSENBRENNER (for himself, Mr. HYDE, and Mr. HUTCHINSON):

H.R. 2325. A bill to establish the Antitrust Modernization Commission; to the Committee on the Judiciary.

By Mr. BOEHLERT:

H.R. 2326. A bill to establish an alternative fuel vehicle energy demonstration and commercial application of energy technology competitive grant pilot program within the Department of Energy to facilitate the use of alternative fuel vehicles; to the Committee on Science.

By Mr. RYAN of Wisconsin (for himself, Mr. SOUDER, Mr. TOOMEY, Mr.

HOSTETTLER, Mr. LARGENT, Mr. BARTLETT of Maryland, Mr. CANTOR, Mr. SCHAFER, Mr. ISTOOK, Mr. AKIN, Mr. SHADEGG, and Mr. ADERHOLT):

H.R. 2327. A bill to repeal the sunset of the provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001; to the Committee on Ways and Means.

By Ms. BALDWIN (for herself, Mr. FRANK, Mrs. MINK of Hawaii, Mr. STARK, Mrs. CHRISTENSEN, Ms. JACKSON-LEE of Texas, Mr. KILDEE, Mr. EVANS, Ms. CARSON of Indiana, Mr. KUCINICH, Ms. PELOSI, Ms. MILLENDER-MCDONALD, Mr. SANDERS, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Ms. KAPTUR, Mr. BONIOR, Mr. BRADY of Pennsylvania, Mr. NADLER, Ms. WATERS, and Mrs. MALONEY of New York):

H.R. 2328. A bill to amend the Family and Medical Leave Act of 1993 to eliminate an hours of service requirement for benefits under that Act; to the Committee on Education and the Workforce, and in addition to the Committees on Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOUGHTON (for himself, Mr. OBERSTAR, Mr. QUINN, Mr. CLEMENT, Mr. KING, Mr. RAHALL, Mr. CUMMINGS, Mr. CASTLE, Mr. DEFazio, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCHUGH, Ms. NORTON, Ms. BROWN of Florida, Mr. SHAYS, Mr. LIPINSKI, Mr. SWEENEY, Mr. CARDIN, Mr. BORSKI, Mr. COSTELLO, Mr. GILMAN, Mr. CANTOR, Mr. BARCIA, Mr. BACHUS, Mr. ISAKSON, Mr. MENENDEZ, Mr. HORN, Mr. BLAGOJEVICH, Mr. RUSH, Mr. OWENS, Mr. LATOURETTE, Mr. BOSWELL, Mr. EHLERS, Mr. PAYNE, Mr. FARR of California, Mr. ACEVEDO-VILA, Mrs. ROUKEMA, Mr. KILDEE, Mr. MCGOVERN, Mr. GUTIERREZ, Mr. SCHROCK, Ms. DUNN, Mr. BARRETT, Mr. ENGLISH, Mr. TOWNS, Mr. CAPUANO, Mr. NADLER, Mr. BECERRA, Mr. NORWOOD, Mrs. JONES of Ohio, Ms. BALDWIN, Mr. ANDREWS, Mr. MEEKS of New York, Mr. KIRK, Mr. BOUCHER, Mr. DOYLE, Mr. PASCRELL, Ms. MILLENDER-MCDONALD, Mr. BLUMENAUER, Ms. PELOSI, Mr. FILNER, Mr. LARSEN of Washington, Mr. BACA, Mr. BAIRD, Mr. FERGUSON, Mr. BALDACCIO, Mr. BROWN of Ohio, Mr. DICKS, Mr. UPTON, Mrs. TAUSCHER, Mr. HINCHEY, Mr. INSLEE, Ms. KAPTUR, Mr. BOEHLERT, Ms. KILPATRICK, Mr. WELLER, Ms. LEE, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. BUYER, Mr. MORAN of Virginia, Mr. HOLDEN, Mr. FORD, Mr. GOODLATTE, Mr. MATSUI, Ms. MCCARTHY of Missouri, Mr. DOOLEY of California, Mr. MASCARA, Mr. SERRANO, Mr. CARSON of Oklahoma, Mr. HOLT, Mr. MCNULTY, Mr. FORBES, Mr. DAVIS of Illinois, Mr. EVANS, Mrs. THURMAN, Mr. HILLIARD, Mr. SANDLIN, Mr. SAWYER, Mr. BRADY of Pennsylvania, Ms. BERKLEY, Mr. BERRY, Ms. CARSON of Indiana, Mr. SCOTT, Mr. PRICE of North Carolina, Ms. HOOLEY of Oregon, Mr. LEWIS of Georgia, Mrs. MALONEY of New York, Ms. SLAUGHTER, Mr. FRANK, Mr. ALLEN, Mr. BISHOP, Ms. JACKSON-LEE of Texas, Mr. SMITH of Washington, Ms. DELAUNO, Mr. MARKEY, Ms. RIVERS, Mr. KUCINICH, Mr. LAMPSON, Mr. ETHERIDGE, Mrs. CAPPS, Mr. LAFALCE, Mr. GEORGE MILLER of California, Mr. CALVERT, Mr. LANTOS, and Ms. WATSON):

H.R. 2329. A bill to amend the Internal Revenue Code of 1986 to allow a credit to holders of qualified bonds issued by Amtrak, to amend title 49, United States Code, to provide for approval by the Secretary of Transportation of projects to be funded by those bonds, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BONILLA:

H.R. 2330. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes.

By Mr. HORN:

H.R. 2331. A bill to provide for oversight of the activities of the Federal Energy Regulatory Commission by the Comptroller General, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ANDREWS:

H.R. 2332. A bill to amend title 10, United States Code, to provide for expanded eligibility for participation by members of the Selected Reserve and their dependents in the TRICARE program; to the Committee on Armed Services.

By Mr. BURR of North Carolina (for himself, Mr. STUPAK, and Mr. CHAMBLISS):

H.R. 2333. A bill to amend the Public Health Service Act to provide for a National Disaster Medical System, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BURR of North Carolina (for himself and Mr. JONES of North Carolina):

H.R. 2334. A bill to amend the Internal Revenue Code of 1986 to dedicate revenues from recent tobacco tax increases for use in buying out tobacco quota; to the Committee on Ways and Means, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMP (for himself, Mr. HAYWORTH, Mr. KILDEE, and Mr. BONIOR):

H.R. 2335. A bill to amend part E of title IV of the Social Security Act to provide equitable access for foster care and adoption services for Indian children in tribal areas; to the Committee on Ways and Means.

By Mr. COBLE (for himself and Mr. BERMAN):

H.R. 2336. A bill to make permanent the authority to redact financial disclosure statements of judicial employees and judicial officers; to the Committee on the Judiciary.

By Mrs. CUBIN (for herself and Mr. MCINNIS):

H.R. 2337. A bill to amend the Internal Revenue Code of 1986 to provide an election for a special tax treatment of certain S corporation conversions; to the Committee on Ways and Means.

By Mr. ENGEL (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FILNER, Mr. LANTOS, Mr. HINCHEY, Mr. JACKSON of Illinois, Mr. PAYNE, Mr. NADLER, Ms. MCKINNEY, Mr. PASCRELL, Mr. OWENS, Mr. SERRANO, Mr. PALLONE, Ms. WATERS, Mr. KUCINICH, Mr. TOWNS, Mr. SANDERS, Mr. MEEKS of New York, and Mr. HONDA):

H.R. 2338. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit

against the income tax for the amount paid in rent in excess of 30 percent of income; to the Committee on Ways and Means.

By Mr. ENGLISH (for himself, Mr. DOYLE, Mr. SMITH of New Jersey, Mr. HORN, Mr. SHOWS, Ms. BROWN of Florida, Mr. BLAGOJEVICH, Mr. KING, Mr. SPENCE, Mr. TIAHRT, Mr. FOSSELLA, Mrs. ROUKEMA, and Mr. GREENWOOD):

H.R. 2339. A bill to amend the Internal Revenue Code of 1986 to provide a refundable credit against tax with respect to education and training of developmentally disabled children; to the Committee on Ways and Means.

By Mr. FOLEY (for himself and Mr. SANDLIN):

H.R. 2340. A bill to prohibit discrimination or retaliation against health care workers who report unsafe conditions and practices which impact on patient care; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE (for himself, Mr. BOUCHER, Mr. SENSENBRENNER, Mr. MORAN of Virginia, Mr. ARMEY, Mr. STENHOLM, Mr. HYDE, Mr. DOOLEY of California, Mr. BRYANT, Mr. HOLDEN, Mr. COX, Mr. CHABOT, Mr. CRAMER, Mr. OXLEY, Mr. SUNUNU, Mr. BACHUS, Mr. BARTLETT of Maryland, and Mr. GOSS):

H.R. 2341. A bill to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, to outlaw certain practices that provide inadequate settlements for class members, to assure that attorneys do not receive a disproportionate amount of settlements at the expense of class members, to provide for clearer and simpler information in class action settlement notices, to assure prompt consideration of interstate class actions, to amend title 28, United States Code, to allow the application of the principles of Federal diversity jurisdiction to interstate class actions, and for other purposes; to the Committee on the Judiciary.

By Ms. GRANGER:

H.R. 2342. A bill to amend title XXVII of the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to assure patient access to primary pediatric care through pediatricians under group health plans and group health insurance coverage; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mrs. CLAYTON, and Mr. REYES):

H.R. 2343. A bill to support research and development programs in agricultural biotechnology and genetic engineering targeted to addressing the food and economic needs of the developing world; to the Committee on Agriculture.

By Mr. MCINNIS:

H.R. 2344. A bill to provide for the implementation of an Intergovernmental Agreement between the Southern Ute Indian Tribe and the State of Colorado concerning Air Quality Control on the Southern Ute Indian Reservation, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration

of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN of Virginia (for himself, Mrs. JO ANN DAVIS of Virginia, Mr. BOUCHER, Mr. TOM DAVIS of Virginia, Mr. SCOTT, and Mr. SCHROCK):

H.R. 2345. A bill to extend Federal recognition to the Chickahominy Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Tribe, and the Nansemond Tribe; to the Committee on Resources.

By Mr. MURTHA:

H.R. 2346. A bill to amend title XVIII of the Social Security Act to increase by 20 percent the payment under the Medicare Program for ambulance services furnished to Medicare beneficiaries in rural areas; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NUSSLE:

H.R. 2347. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for farmers and fishermen, and for other purposes; to the Committee on Ways and Means.

By Mr. PASTOR (for himself, Mr. PALLONE, and Ms. JACKSON-LEE of Texas):

H.R. 2348. A bill to render all enrolled members of the Tohono O'odham Nation citizens of the United States as of the date of their enrollment and to recognize the valid membership credential of the Tohono O'odham Nation as the legal equivalent of a certificate of citizenship or a State-issued birth certificate for all Federal purposes; to the Committee on the Judiciary.

By Mr. SANDERS (for himself, Ms. LEE, Mr. MCHUGH, Mr. RUSH, Mrs. CLAYTON, Ms. MCKINNEY, Mr. ISRAEL, Mr. FILNER, Mrs. MEEK of Florida, Mr. KENNEDY of Rhode Island, Ms. SCHAKOWSKY, Mr. THOMPSON of Mississippi, Mr. ENGEL, Mr. COYNE, Mr. CONYERS, Mr. OWENS, Mr. SCHIFF, Mr. CAPUANO, Mr. FROST, Mr. STARK, Ms. CARSON of Indiana, Mr. DELAHUNT, Mr. KUCINICH, Mr. CUMMINGS, Mr. CLAY, Ms. VELAZQUEZ, Ms. RIVERS, Ms. PELOSI, Mr. BLUMENAUER, Mr. McDERMOTT, Mr. BALDACCIO, Ms. MCCOLLUM, Mr. LARSEN of Washington, Ms. MCCARTHY of Missouri, Mr. FRANK, Mrs. JONES of Ohio, Mr. HASTINGS of Florida, Ms. WATERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BRADY of Pennsylvania, Ms. JACKSON-LEE of Texas, Mr. ALLEN, Mr. GUTIERREZ, Mr. DAVIS of Illinois, Mr. PAYNE, Mr. FARR of California, and Mr. NADLER):

H.R. 2349. A bill to establish the National Affordable Housing Trust Fund in the Treasury of the United States to provide for the development, rehabilitation, and preservation of decent, safe, and affordable housing for low-income families; to the Committee on Financial Services.

By Mr. SHAW (for himself, Mr. TANNER, Mr. FOLEY, Mrs. JOHNSON of Connecticut, Mr. WATKINS, Mr. LEWIS of Georgia, Mr. COYNE, Mr. MATSUI, Mrs. THURMAN, Mr. McNULTY, Mr. KLECZKA, Mr. CARDIN, Mr. POMEROY, Mr. MCINNIS, Mr. McDERMOTT, Mr. COLLINS, Mr. BARCIA, Mr. JEFFERSON, Mr. LEWIS of Kentucky, Mr. HERGER, Mr. SESSIONS, Ms. DUNN, Mr. PAUL, Mr. BRADY of Texas, Mr. RAMSTAD, Mr. BECERRA, Mr. HAYWORTH, Mr. NEAL of Massachusetts, Mr. ENGLISH, Mr. STARK, Mr. NUSSLE, Mr. LEVIN, Mr. HULSHOF, and Mr. WELLER):

H.R. 2350. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain expenses of rural letter carriers; to the Committee on Ways and Means.

By Mr. SPRATT (for himself and Mrs. TAUSCHER):

H.R. 2351. A bill to establish the policy of the United States for reducing the number of nuclear warheads in the United States and Russian arsenals, for reducing the number of nuclear weapons of those two nations that are on high alert, and for expanding and accelerating programs to prevent diversion and proliferation of Russian nuclear weapons, fissile materials, and nuclear expertise; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK:

H.R. 2352. A bill to amend the Internal Revenue Code of 1986 to deny any deduction for direct-to-consumer advertisements of prescription drugs that fail to provide certain information or to present information in a balanced manner, and to amend the Federal Food, Drug, and Cosmetic Act to require reports regarding such advertisements; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANCREDO (for himself, Mr. LARGENT, Mr. BARTLETT of Maryland, Mr. GILCHREST, Mr. TERRY, and Mr. HEFLEY):

H.R. 2353. A bill to revise certain policies of the Army Corps of Engineers for the purpose of improving the Corps' community relations, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. MORELLA (for herself, Mr. GALLEGLY, and Mr. SHAYS):

H. Con. Res. 175. Concurrent resolution expressing the sense of Congress that the Humane Methods of Slaughter Act of 1958 should be fully enforced so as to prevent needless suffering of animals; to the Committee on Agriculture.

H. Con. Res. 176. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Ms. SOLIS (for herself, Ms. KAPTUR,

Mr. RODRIGUEZ, Mr. GUTIERREZ, Mr. BACA, Mr. HINOJOSA, Ms. LEE, Mr. GEORGE MILLER of California, Mr. CONYERS, Mr. BERMAN, Ms. CARSON of Indiana, Mrs. NAPOLITANO, Mr. HONDA, Ms. ROYBAL-ALLARD, Mrs. DAVIS of California, Mr. STARK, Mr. MENENDEZ, Mr. McNULTY, Ms. MILLENDER-McDONALD, Ms. SANCHEZ, Mr. BECERRA, Ms. DEGETTE, Mr. PASTOR, Mr. DAVIS of Illinois, Ms. MCKINNEY, Mr. REYES, Mrs. MINK of Hawaii, Mr. GEPHARDT, Mr. SCHIFF, Mr. DOOLEY of California, Mr. KLECZKA, Mr. FRANK, Mr. GONZALEZ, Mrs. MEEK of Florida, Mr. ORTIZ, Ms. VELAZQUEZ, Mr. SERRANO, and Mr. MCINNIS):

H. Con. Res. 177. Concurrent resolution expressing the sense of the Congress that all workers deserve fair treatment and safe working conditions, and honoring Dolores Huerta for her commitment to the improvement of working conditions for children, women, and farm worker families; to the Committee on Education and the Workforce.

By Mr. BALLENGER (for himself, Mr. HYDE, Mr. MENENDEZ, Mr. DELAHUNT,

Mr. FALEOMAVAEGA, Mr. LEACH, Mr. HASTINGS of Florida, Mr. SHERMAN, Mr. BERMAN, Mr. CROWLEY, Mr. HUTCHINSON, Ms. WATSON, Mr. DAVIS of Florida, Ms. PELOSI, Mr. ORTIZ, Mr. KUCINICH, Mr. DEFazio, Mr. TIERNEY, Mr. CAPUANO, Mr. UDALL of New Mexico, Mr. RYUN of Kansas, Ms. WOOLSEY, Mr. LANGEVIN, Mr. THOMPSON of California, Mr. PETERSON of Minnesota, Mr. FARR of California, Mr. OLVER, Mr. KENNEDY of Minnesota, Mr. ETHERIDGE, Ms. HARMAN, Mr. CONDIT, Ms. SOLIS, Mr. MORAN of Virginia, Mr. GALLEGLY, Mr. HERGER, Mr. BROWN of South Carolina, Mr. DUNCAN, Mr. GRAHAM, Mr. JENKINS, Mr. SAXTON, Mr. CRANE, Mr. CALAHAN, and Mr. FLAKE):

H. Res. 181. A resolution congratulating President-elect Alejandro Toledo on his election to the Presidency of Peru, congratulating the people of Peru for the return of democracy to Peru, and expressing sympathy for the victims of the devastating earthquake that struck Peru on June 23, 2001; to the Committee on International Relations.

By Ms. PRYCE of Ohio:

H. Res. 182. A resolution providing for consideration of a concurrent resolution providing for adjournment of the House and Senate for the Independence Day district work period.

By Mr. HASTINGS of Washington:

H. Res. 183. A resolution providing for consideration of the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

120. The SPEAKER presented a memorial of the General Assembly of the State of Illinois, relative to House Resolution No. 385 memorializing the United States Congress to ensure ethanol and biodiesel are included as part of any lasting energy policy; to the Committee on Energy and Commerce.

121. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 105 memorializing the United States Congress to urge the Secretary of State to increase efforts to urge the People's Republic of China to recognize and protect the human rights of its citizens and halt the persecution against practitioners of Falun Gong; to the Committee on International Relations.

122. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 136 memorializing President and the United States Congress to work for the admission of Latvia into NATO; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 28: Mr. DEFazio.
H.R. 85: Mr. MANZULLO.
H.R. 91: Mr. GREEN of Wisconsin.
H.R. 116: Mr. HINCHEY.
H.R. 159: Mr. STEARNS.
H.R. 238: Mr. BAIRD.
H.R. 267: Mr. BERRY, Mr. ORTIZ, and Mr. BORSKI.
H.R. 287: Mr. HASTINGS of Florida and Ms. LOFGREN.

H.R. 303: Mr. HAYWORTH.
H.R. 382: Mr. KERNS and Mr. PUTNAM.
H.R. 460: Mr. PASCRELL.
H.R. 478: Ms. HART.
H.R. 479: Ms. HART.
H.R. 480: Ms. HART.
H.R. 527: Mr. PHELPS, Ms. ROS-LEHTINEN, Mr. JENKINS, Mr. CANTOR, and Mr. SCHROCK.
H.R. 529: Ms. VELAZQUEZ.
H.R. 530: Ms. VELAZQUEZ.
H.R. 635: Mr. LATOURETTE.
H.R. 656: Mr. TANCREDI, Mrs. CHRISTENSEN, and Mr. KERNS.
H.R. 713: Mr. STARK.
H.R. 717: Mr. NUSSLE, Mr. BUYER, Mrs. CAPPS, Ms. KILPATRICK, and Mr. TAUZIN.
H.R. 746: Mr. PICKERING.
H.R. 770: Mr. LAFALCE and Mr. THOMPSON of Mississippi.
H.R. 774: Mr. EHRLICH and Mr. LEACH.
H.R. 794: Mr. BAIRD.
H.R. 804: Mr. BURR of North Carolina and Mr. ISAKSON.
H.R. 808: Ms. ESHOO, Mr. MEEHAN, and Mr. SWEENEY.
H.R. 822: Mr. UPTON, Mr. GANSKE, Mr. WELDON of Florida, Ms. ROS-LEHTINEN, Mr. FARR of California, Mr. KINGSTON, and Mr. GOSS.
H.R. 826: Mr. BRYANT and Mr. CRENSHAW.
H.R. 828: Mr. LATOURETTE.
H.R. 848: Mr. PLATTS, Mr. BRYANT, Mr. ABERCROMBIE, Mr. BISHOP, Mr. HOBSON, Mr. CROWLEY, and Mr. THOMPSON of California.
H.R. 854: Mr. SCHIFF, Mr. BLUMENAUER, Mr. BISHOP, Mr. GRAHAM, Mrs. NAPOLITANO, and Mrs. JONES of Ohio.
H.R. 876: Mr. PRICE of North Carolina, Mr. GREEN of Wisconsin, Mr. ENGEL, and Mr. LANTOS.
H.R. 914: Mr. ROHRBACHER, Mr. AKIN, Mrs. BIGGERT, Mr. CALVERT, Mr. TIAHRT, Mr. WELDON of Florida, Mr. PENCE, Mr. TANCREDI, Mr. HEFLEY, Mr. BARR of Georgia, Mr. KOLBE, Mr. RADANOVICH, Mr. MILLER of Florida, Mr. ARMEY, Mr. KELLER, Mr. EHRLICH, and Mr. ANDREWS.
H.R. 933: Mr. BOUCHER.
H.R. 990: Mr. INSLEE.
H.R. 1060: Ms. ROYBAL-ALLARD.
H.R. 1110: Mr. BRADY of Texas, Mr. GILCHREST, and Ms. MCCOLLUM.
H.R. 1140: Mr. CULBERSON, and Mrs. DAVIS of California.
H.R. 1143: Mr. DAVIS of Illinois and Ms. WATERS.
H.R. 1149: Mr. STICKLAND, Mr. McDERMOTT, Mr. HINCHEY, Mr. ROSS, Mr. BALDACCIO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DAVIS of Illinois, and Mr. FRANK.
H.R. 1170: Mr. BECERRA.
H.R. 1193: Mr. MCGOVERN, Mr. JACKSON of Illinois, Mr. HINCHEY, Mr. BISHOP, and Mr. DOOLEY of California.
H.R. 1265: Mr. KUCINICH, Mr. MALONEY of Connecticut, Ms. MCKINNEY, Mr. HINCHEY, Mr. LIPINSKI, Mr. OWNENS, Ms. BALDWIN, Ms. SCHAKOWSKY, Mr. PAYNE, Mr. DAVIS of Illinois, and Mr. GOODE.
H.R. 1266: Mr. PALLONE, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SERRANO, and Mr. TIERNEY.
H.R. 1271: Mr. SKELTON.
H.R. 1287: Mr. LARSEN of Washington and Ms. ROS-LEHTINEN.
H.R. 1305: Mr. BLUNT, Mr. OSE, and Mr. COMBEST.
H.R. 1317: Ms. DUNN.
H.R. 1342: Mr. HOBSON.
H.R. 1343: Mr. ACEVEDO-VILA.
H.R. 1362: Mr. BROWN of Ohio and Ms. PELOSI.
H.R. 1363: Mrs. CUBIN and Mr. BURTON of Indiana.
H.R. 1401: Mr. OSE.
H.R. 1405: Mrs. MORELLA.
H.R. 1412: Mr. HOSTETTLER.
H.R. 1427: Mr. LAMPSON.
H.R. 1468: Mr. SCHIFF.

H.R. 1481: Mr. CLEMENT.
H.R. 1494: Ms. WATSON.
H.R. 1592: Mr. REHBERG.
H.R. 1594: Mr. DOYLE.
H.R. 1601: Mr. NUSSLE.
H.R. 1609: Mr. WAMP.
H.R. 1610: Mr. CLYBURN.
H.R. 1642: Ms. ROYBAL-ALLARD, Mr. UDALL of Colorado, and Mr. DAVIS of Illinois.
H.R. 1644: Mr. McNULTY, Mr. BUYER, and Mrs. NORTHUP.
H.R. 1645: Mr. CUNNINGHAM, Mr. FROST, Mr. BALLENGER, Mr. GREEN of Texas, Mr. HINCHEY, Ms. KAPTUR, Ms. LEE, Mr. HORN, Mr. LAFALCE, Mr. SPENCE, and Mr. EHRLICH.
H.R. 1657: Mr. CAMP and Mr. BRADY of Texas.
H.R. 1690: Ms. WOOLSEY.
H.R. 1694: Mr. BARR of Georgia.
H.R. 1700: Mr. MATHESON, Mr. TIERNEY, Mr. WAXMAN, and Mr. LARSEN of Washington.
H.R. 1718: Mr. TANCREDI and Ms. GRANGER.
H.R. 1739: Mr. MCGOVERN, Mr. STARK, and Mr. GRUCCI.
H.R. 1774: Mr. SHAW, Mrs. JONES of Ohio, and Mr. PHELPS.
H.R. 1784: Mrs. CLAYTON, Mrs. LOWEY, Mr. SANDERS, and Mr. PAYNE.
H.R. 1790: Mr. LEVIN and Mr. PLATTS.
H.R. 1810: Mr. ABERCROMBIE, Mr. BALDACCIO, Mr. BARRETT, Mr. PRICE of North Carolina, Mr. STARK, Mr. KLECZKA, Mr. WALSH, and Mrs. CAPPS.
H.R. 1822: Mr. GONZALEZ, Mr. HORN, Mr. FROST, and Mr. BALDACCIO.
H.R. 1823: Mr. SERRANO, Mr. BECERRA, Mr. GUTIERREZ, and Mr. ORTIZ.
H.R. 1839: Ms. BALDWIN, Mr. CAPUANO, and Mr. ISAKSON.
H.R. 1840: Ms. LOFGREN.
H.R. 1864: Mr. EHLERS and Mr. ISAKSON.
H.R. 1881: Mr. GREEN of Wisconsin.
H.R. 1948: Mr. ISAKSON.
H.R. 1972: Mr. WELDON of Florida, Mr. PAUL, Mr. SOUDER, Mr. DEAL of Georgia, and Mr. TOOMEY.
H.R. 1987: Mr. CAPUANO.
H.R. 1988: Mr. SAWYER, Mr. CROWLEY, and Mr. STUPAK.
H.R. 1990: Mr. RANGEL.
H.R. 2001: Mr. SANDLIN.
H.R. 2004: Mr. CLAY.
H.R. 2008: Mr. DAVIS of Illinois, Mr. JEFFERSON, Ms. KILPATRICK, Mr. RANGEL, Mr. RUSH, and Mr. TOWNS.
H.R. 2013: Ms. SCHAKOWSKY, Mr. LANTOS, and Mr. LEWIS of Georgia.
H.R. 2022: Mrs. TAUSCHER, Mr. CROWLEY, Mr. FARR of California, and Ms. SCHAKOWSKY.
H.R. 2030: Mr. GILMAN.
H.R. 2035: Ms. SOLIS, Mr. ROSS, Mr. BISHOP, Mr. GEORGE MILLER of California, Mr. MURTHA, Mr. OBERSTAR, Mr. RAHALL, Mr. DUNCAN, Mr. BROWN of Ohio, Ms. NORTON, Mr. GONZALEZ, Mr. CONDIT, Mr. OLVER, Ms. VELAZQUEZ, Mr. STARK, Mr. KILDEE, Mr. FROST, Ms. MCKINNEY, Mr. HINCHEY, Mr. PLATTS, Mr. LATOURETTE, Mrs. EMERSON, Mr. BLAGOJEVICH, Mr. BOUCHER, and Ms. MCCARTHY of Missouri.
H.R. 2036: Mr. GILLMOR, Mr. BRADY of Texas, Mr. LANTOS, Mrs. CAPPS, and Ms. BALDWIN.
H.R. 2037: Mr. COLLINS, Mr. MCHUGH, Mr. CAMP, Mr. UPTON, Mr. SKELTON, Mr. OXLEY, Mrs. EMERSON, Mr. BAKER, Mr. CHAMBLISS, Mr. TOOMEY, Mr. SCARBOROUGH, Mr. ARMEY, Mr. KINGSTON, Mr. MCCREERY, and Mr. ENGLISH.
H.R. 2070: Mr. NORWOOD, Mr. STENHOLM, Mr. BALLENGER, Mrs. BIGGERT, Mr. SAM JOHNSON of Texas, Mrs. MYRICK, Mr. SMITH of Texas, and Mr. ISAKSON.
H.R. 2081: Mr. KANJORSKI and Mr. WAXMAN.
H.R. 2096: Mr. MOLLOHAN.
H.R. 2117: Mr. GONZALES.
H.R. 2125: Ms. MCKINNEY, Mr. ENGLISH, Mr. ANDREWS, and Mr. BALDACCIO.

H.R. 2126: Mr. COSTELLO, Mrs. EMERSON, Mr. GRAHAM, and Mr. SMITH of Texas.
 H.R. 2138: Mr. BARRETT and Mr. BECERRA.
 H.R. 2143: Mr. GOODLATTE and Mr. KERNS.
 H.R. 2145: Mr. LANTOS.
 H.R. 2149: Mr. TERRY, Mr. GOODLATTE, Mr. FLETCHER, Mr. OSE, and Mr. GREENWOOD.
 H.R. 2164: Mr. CASTLE and Mr. COYNE.
 H.R. 2173: Mr. COOKSEY.
 H.R. 2175: Mr. PUTNAM, Mr. SKELTON, and Mr. HUNTER.
 H.R. 2219: Mr. FILNER, Mr. PAUL, Ms. JACKSON-LEE of Texas, Mr. BALDACCI, and Mr. FROST.
 H.R. 2243: Mr. FILNER, Ms. MCKINNEY, and Mr. RANGEL.
 H.R. 2279: Mr. MCINNIS.
 H.R. 2290: Mr. MCINNIS.
 H.R. 2315: Mr. SWEENEY, Mr. ISSA, and Mr. CANTOR.
 H.R. 2319: Mr. FRANK, Ms. JACKSON-LEE of Texas, Mr. GILMAN, Mr. STARK, Ms. LEE, and Mr. KUCINICH.
 H.J Res 36: Ms. BERKLEY.
 H. Con. Res. 26: Mr. NADLER.
 H. Con. Res. 60: Mr. TOWNS, Mr. LEWIS of Georgia, Mr. SHERMAN, and Mr. COYNE.
 H. Con. Res. 89: Mr. HASTINGS of Washington, Mr. BURTON of Indiana, and Mr. MCGOVERN.
 H. Con. Res. 102: Mrs. MEEK of Florida, Mr. WYNN, Ms. MILLENDER-MCDONALD, Mr. WATTS of Oklahoma, Mr. UPTON, Mr. STARK, Mr. BAIRD, Mr. MOORE, Ms. MCCOLLUM, and Mr. WAXMAN.
 H. Con. Res. 132: Mr. MATSUI, Mr. ISAKSON, Mr. DOOLEY of California, Mr. CANTOR, Mr. BOUCHER, Mr. ENGLISH, Mr. SMITH of Texas, and Mr. SCHIFF.
 H. Con. Res. 160: Mr. GILMAN, Mr. ORTIZ, Ms. JACKSON-LEE of Texas, Mr. BRADY of Texas, and Mr. SHIMKUS.
 H. Res. 152: Mr. SHERWOOD, Mr. BAIRD, and Mr. LANTOS.
 H. Res. 173: Ms. MCCARTHY of Missouri.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2180: Mrs. BONO.

PETITIONS, ETC.

Under clause 3 of rule XII,

30. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 254 petitioning the United States Congress to enact legislation maintaining the Medicaid intergovernmental transfer program for County nursing facilities; which was referred to the Committee on Energy and Commerce.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2311

OFFERED BY: MR. TRAFICANT

AMENDMENT No. 5: At the end of the bill (before the short title) add the following section:

SEC. . No funds in this Act may be used to drill for oil and gas, through, in or under, the Mosquito Creek Reservoir, Trumbull County, Ohio.

H.R. 2330

OFFERED BY: MR. ALLEN

AMENDMENT No. 4: At the end of title VII, insert after the last section (preceding any short title) the following section:

SEC. 7. None of the amounts made available in this Act for the Food and Drug Administration may be expended to approve any application for a new drug submitted by an entity that does not, before completion of the approval process, provide to the Secretary of Health and Human Services a written statement specifying the total cost of research and development with respect to such drug, by stage of drug development, including a separate statement specifying the portion paid with Federal funds and the portion paid with State funds.

H.R. 2330

OFFERED BY: MRS. CLAYTON

AMENDMENT No. 5: At the end of the bill (before the short title), insert the following new section:

SEC. 738. The amounts otherwise provided by this Act are revised by reducing the amount made available for "AGRICULTURAL PROGRAMS—AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS", by reducing the amount made available for "AGRICULTURAL PROGRAMS—COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE—RESEARCH AND EDUCATION ACTIVITIES" (and the amount specified under such heading for competitive research grants (7 U.S.C. 450i(b)), by reducing the amount made available for "AGRICULTURAL PROGRAMS—FARM SERVICE AGENCY—SALARIES AND EXPENSES", and by increasing the amount made available for "AGRICULTURAL PROGRAMS—COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE—RESEARCH AND EDUCATION ACTIVITIES" (and the amount specified under such heading for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321-326 and 328), including Tuskegee University, by increasing the amount made available for "AGRICULTURAL PROGRAMS—COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE—RESEARCH AND EDUCATION ACTIVITIES" (and the amount specified under such heading for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222)), and by increasing the amount made available for "AGRICULTURAL PROGRAMS—OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS", by \$5,521,000, \$10,000,000, and \$7,007,000, respectively.

H.R. 2330

OFFERED BY: MRS. CLAYTON

AMENDMENT No. 6: In title III, in the item relating to "Rural Housing Insurance Fund Program Account" add at the end the following:

Of the amounts made available under this heading in chapter 1 of title II of Public Law 106-246 (114 Stat. 540) for gross obligations for principal amount of direct loans authorized by title V of the Housing Act of 1949 for section 515 rental housing, the Secretary of Agriculture may use \$12,000,000 for rental assistance agreements described in the item relating to "Rental Assistance Program" in such chapter.

In making available for occupancy dwelling units in housing that is provided with funds made available under the heading referred to in the preceding paragraph, the Secretary of Agriculture may give preference to prospective tenants who are residing in temporary housing provided by the Federal Emergency Management Agency as a result of an emergency.

H.R. 2330

OFFERED BY: MR. DEFazio

AMENDMENT No. 7: In title I, under the heading "COMMON COMPUTING ENVIRONMENT", insert after the first dollar amount the following: "(reduced by \$1,990,000)".

In title I, under the heading "ANIMAL AND PLANT HEALTH INSPECTION SERVICE"—"SALARIES AND EXPENSES", insert after the first dollar amount the following: "(increased by \$1,990,000)".

H.R. 2330

OFFERED BY: MR. HINCHEY

AMENDMENT No. 8: Insert before the short title the following new section:

SEC. . None of the funds appropriated or otherwise made available by this Act shall be used to eliminate employment positions (or alter the tasks assigned to the persons filling such employment positions) related to the operation of the American Heritage Rivers Initiative.

H.R. 2330

OFFERED BY: MR. KANJORSKI

AMENDMENT No. 9: In title II, under the heading "CONSERVATION OPERATIONS", insert before the period at the end the following: "Provided further, That \$200,000 shall be available to continue the cooperative agreement between the GIS Consortium and the Natural Resources Conservation Service".

H.R. 2330

OFFERED BY: MS. KAPTUR

AMENDMENT No. 10: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . (a) The Secretary of Agriculture shall continue in fiscal year 2002 the Global Food for Education Initiative program implemented in fiscal year 2001, at the level implemented in fiscal year 2001.

(b) For all purposes under the Congressional Budget Act of 1974 and the Balanced Budget and Emergency Deficit Control Act of 1985, the Congressional Budget Office and the Office of Management and Budget shall treat the budget authority and outlays associated with continuing the Global Food for Education Initiative at the level implemented in fiscal year 2001 as part of the baseline costs of the Commodity Credit Corporation in fiscal year 2002 and shall not attribute any additional new budget authority or outlays to this Act because of the directive contained in subsection (a).

H.R. 2330

OFFERED BY: MS. KAPTUR

AMENDMENT No. 11: Add before the short title at the end the following new section:

SEC. . In addition to amounts otherwise appropriated or made available by this Act, \$500,000,000 is appropriated to the Secretary of Agriculture to carry out and support (utilizing existing authorities of the Secretary and subject to the terms and conditions applicable to those authorities) research, technical assistance, loan, and grant programs regarding the development of biofuels (including ethanol, biodiesel, and other forms of biomass-derived fuels), the production of such biofuels, the establishment of farmer-held reserves of fuel stocks, and demonstration projects regarding such biofuels, as part of a Biofuels and Biomass Energy Independence effort and to augment the President's National Energy Policy: *Provided*, That the entire amount shall be available only to the extent an official budget request for \$500,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

H.R. 2330

OFFERED BY: MS. KAPTUR

AMENDMENT No. 12: Add before the short title at the end the following new section:

SEC. _____. Of the amount provided in title I under the heading "EXTENSION ACTIVITIES", \$500,000 shall be available to support the National 4-H Program Centennial Initiative, as authorized by the Act entitled "An Act to authorize funding for the National 4-H Program Centennial Initiative".

H.R. 2330

OFFERED BY: MR. KUCINICH

AMENDMENT No. 13: At the end of title VII, insert after the last section (preceding any short title) the following section:

SEC. 7 _____. None of the funds made available in this Act for the Food and Drug Administration may be used for the approval or process of approval, under section 512 of the Federal Food, Drug, and Cosmetic Act, of an application for an animal drug for creating transgenic salmon or any other transgenic fish.

H.R. 2330

OFFERED BY: MS. LEE

AMENDMENT No. 14: In the item relating to "AGRICULTURAL RESEARCH SERVICE—SALARIES AND EXPENSES", after the second dollar amount, insert the following: "(decreased by \$1,000,000)".

In the item relating to "FOOD AND NUTRITION SERVICE—CHILD NUTRITION PROGRAMS", after the first dollar amount, insert the following: "(increased by \$1,000,000)".

H.R. 2330

OFFERED BY: MS. LEE

AMENDMENT No. 15: In the item relating to "AGRICULTURAL RESEARCH SERVICE—SALARIES AND EXPENSES", after the second dollar amount, insert the following: "(decreased by \$2,000,000)".

In the item relating to "FOOD AND NUTRITION SERVICE—CHILD NUTRITION PROGRAMS", after the first dollar amount, insert the following: "(increased by \$2,000,000)".

H.R. 2330

OFFERED BY: MR. LUCAS OF OKLAHOMA

AMENDMENT No. 16: Insert before the short title the following new section:

SEC. _____. The amounts otherwise provided by this Act are revised by increasing the total amount provided in title II under the heading "WATERSHED AND FLOOD PREVENTION OPERATIONS" (to be used to carry out section 14 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012), as added by section 313 of Public Law 106-472 (114 Stat. 2077)), and none of the funds made available in this Act may be used to pay the salaries of personnel of the Department of Agriculture who carry out the programs authorized by section 524(a) of the Federal Crop Insurance Act (7 U.S.C. 1524) in excess of a total of \$3,600,000 for all such programs for fiscal year 2002, by \$5,400,000.

H.R. 2330

OFFERED BY: MRS. MINK OF HAWAII

AMENDMENT No. 17: Insert before the short title at the end the following new section:

SEC. _____. Of the amount for the Department of Agriculture provided under the heading "AGRICULTURAL RESEARCH SERVICE"—"SALARIES AND EXPENSES" in title I, the Secretary of Agriculture shall provide \$950,000, the same amount as was provided for fiscal year 2001, for the Hawaii Agriculture Research Center to maintain competitiveness and support the expansion of new crops and products.

H.R. 2330

OFFERED BY: MRS. MINK OF HAWAII

AMENDMENT No. 18: Insert before the short title at the end the following new section:

SEC. _____. Of the amount for the Department of Agriculture provided under the heading "AGRICULTURAL RESEARCH SERVICE"—"SALARIES AND EXPENSES" in title I, the Secretary of Agriculture shall provide \$1,603,000, the same amount as was provided for fiscal year 2001, for tropical aquaculture research for the Oceanic Institute of Hawaii for continuation of the comprehensive research program focused on feeds, nutrition, and global competitiveness of the United States aquaculture industry.

H.R. 2330

OFFERED BY: MR. ROYCE

AMENDMENT No. 19: Insert before the short title the following new section:

SEC. _____. None of the funds appropriated or otherwise made available by this Act may be used to award any new allocations under the market access program or to pay the salaries of personnel to award such allocations.

H.R. 2330

OFFERED BY: MR. SANDERS

AMENDMENT No. 20: At the end of title VII, insert after the last section (preceding any short title) the following section:

SEC. 7 _____. None of the amounts made available in this Act for the Food and Drug Administration may be used for enforcing section 801(d)(1) of the Federal Food, Drug, and Cosmetic Act.

H.R. 2330

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT No. 21: Add before the short title at the end the following new section:

SEC. _____. Section 135(a)(2) of the Agricultural Market Transition Act (7 U.S.C. 7235(a)(2)) is amended by striking "2000 crop year" and inserting "2000 and 2001 crop years".

H.R. 2330

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT No. 22: In title I under the heading "COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE"—"RESEARCH AND EDUCATION ACTIVITIES" insert after the dollar amount relating to "competitive research grants (7 U.S.C. 450i(b))" the following: ", including grants for authorized competitive research programs regarding enhancement of the nitrogen-fixing ability and efficiency of plants".

H.R. 2330

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT No. 23: Add before the short title at the end the following new section:

SEC. _____. None of the funds appropriated or otherwise made available in this Act may be used to pay the salaries of personnel of the Department of Agriculture who permit the payment limitation specified in section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1308(2)) to be exceeded pursuant to any provision of law, except in the case of loan deficiency payments and marketing loan gains received by a husband and wife who participate in the same farming operation.

H.R. 2330

OFFERED BY: MR. TIERNEY

AMENDMENT No. 24: In title I, under the heading "AGRICULTURAL RESEARCH SERVICE—SALARIES AND EXPENSES", insert at the end the following:

SEC. _____. REPORT REGARDING GENETICALLY ENGINEERED FOODS.

(a) IN GENERAL.—Not later than one year after funds are made available to carry out this section, the Secretary of Agriculture, acting through the National Academy of Sciences, shall complete and transmit to Congress a report that includes recommendations for the following:

(1) DATA AND TESTS.—The type of data and tests that are needed to sufficiently assess and evaluate human health risks from the consumption of genetically engineered foods.

(2) MONITORING SYSTEM.—The type of Federal monitoring system that should be created to assess any future human health consequences from long-term consumption of genetically engineered foods.

(3) REGULATIONS.—A Federal regulatory structure to approve genetically engineered foods that are safe for human consumption.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Agriculture \$500,000 to carry out this section.

H.R. 2330

OFFERED BY: MR. WEINER

AMENDMENT No. 25: Insert before the short title the following new section:

SEC. _____. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel of the Department of Agriculture to make any payment to producers of wool or producers of mohair for the 2000 or 2001 marketing years under section 814 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (as enacted by Public Law 106-387; 114 Stat. 1549A-55).